

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA  
Title III

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO,  
et al.,

(Jointly Administered)

Debtors.<sup>1</sup>

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NOTICE OF CORRESPONDENCE RECEIVED BY THE COURT

The Court has received and reviewed the attached correspondence, described below, from interested persons in the above-captioned cases. Although the Court cannot respond individually to all of those who have expressed their thoughts or concerns, the Court is deeply mindful of the impact of the fiscal crisis on lives, institutions, and expectations, and of the importance of the issues that are raised in these unprecedented cases.

1. Email dated November 27, 2021 from Ivette Rosario
2. Email dated November 30, 2021 from Ana Dorta
3. Email dated November 30, 2021 from Aida Rivera
4. Email dated November 30, 2021 from Angel Cora
5. Email dated November 30, 2021 from Angel Hermina
6. Email dated November 30, 2021 from Arleen Garcia

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<sup>1</sup> The Debtors in these title III cases, along with each Debtor's respective title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801).

7. Email dated November 30, 2021 from Awilda Flores Melo
8. Email dated November 30, 2021 from Eduardo Torres
9. Email dated November 30, 2021 from Enid Vega
10. Email dated November 30, 2021 from Filiberto Nieves Ramos
11. Email dated November 30, 2021 from Iniabelle Colon Guzman
12. Email dated November 30, 2021 from Jannette Ramos
13. Email dated November 30, 2021 from John Kelly
14. Email dated November 30, 2021 from Jonathan Burgos Rivera
15. Email dated November 30, 2021 from Jorge Irizarry
16. Email dated November 30, 2021 from Limaris Soto
17. Email dated November 30, 2021 from Manuel Rivera
18. Email dated November 30, 2021 from Maria De L. Osorio
19. Email dated November 30, 2021 from Miguel Cartagena
20. Email dated November 30, 2021 from Nelson Saavedra Barreto
21. Email dated November 30, 2021 from Ramon Gonzalez
22. Email dated November 30, 2021 from Raymond Jorge Galarza
23. Email dated November 30, 2021 from Reinaldo Collazo
24. Email dated November 30, 2021 from Rosa J. Rivera Matta
25. Email dated November 30, 2021 from Jose A. Fontanez
26. Email dated November 30, 2021 from Lianabel Rodriguez Rivera
27. Email dated November 30, 2021 from Normita Reyes
28. Email dated December 1, 2021 from Angel Hermina
29. Email dated December 1, 2021 from Carmen Medina
30. Email dated December 1, 2021 from Elena De Jesus
31. Email dated December 1, 2021 from Janet Aviles
32. Email dated December 1, 2021 from Juan C. Rodriguez
33. Email dated December 1, 2021 from Marisol Cordero
34. Email dated December 2, 2021 from Carmen M. Malave
35. Email dated December 2, 2021 from David Rodriguez
36. Email dated December 2, 2021 from Elizabeth I. Ruiz Tapia
37. Email dated December 2, 2021 from Jesus Castro
38. Email dated December 2, 2021 from Manuel Rivera
39. Email dated December 2, 2021 from Raimar Martinez
40. Email dated December 2, 2021 from Reinaldo Collazo
41. Email dated December 2, 2021 from Reinaldo Collazo
42. Email dated December 2, 2021 from Rosa Caez
43. Email dated December 2, 2021 from Rosa Rivera Matta
44. Email dated December 2, 2021 from Sahid Echegaray
45. Email dated December 2, 2021 from Carmen L. Rijos
46. Email dated December 3, 2021 from Angel Hermina

47. Email dated December 3, 2021 from Elsie Camacho
48. Email dated December 3, 2021 from Ineabelle Irizarry
49. Email dated December 3, 2021 from Jose Dominguez
50. Email dated December 3, 2021 from Maritza Lausell
51. Email dated December 4, 2021 from Jose A. Colon
52. Email dated December 4, 2021 from Juan Rivera
53. Email dated December 5, 2021 from Cate Long
54. Email dated December 5, 2021 from Andres Debs
55. Email dated December 5, 2021 from Carlos Cacho-Rodriguez
56. Email dated December 5, 2021 from Helsone Ramos
57. Email dated December 5, 2021 from Zaida Alvarez
58. Email dated December 6, 2021 from Angel Hermina
59. Email dated December 6, 2021 from Ruth Marin Resto
60. Email dated December 7, 2021 from Ana Dorta
61. Email dated December 7, 2021 from Mayra Castro
62. Email dated December 8, 2021 from Ana M. Quinones
63. Email dated December 9, 2021 from Ineabelle Irizarry
64. Email dated December 9, 2021 from Ineabelle Irizarry
65. Email dated December 9, 2021 from Luis Colon
66. Email dated December 10, 2021 from Amy Orta-Rivera
67. Email dated December 10, 2021 from Pocho Nieves-Ramos
68. Email dated December 11, 2021 from Jose Batista
69. Email dated December 11, 2021 from Jose Marquez
70. Email dated December 11, 2021 from Magda Molina
71. Email dated December 11, 2021 from Maria Isabel Rivera
72. Email dated December 12, 2021 from Carlos E. Cacho Rodriguez
73. Email dated December 13, 2021 from Iris M. Salas
74. Email dated December 13, 2021 from Maria Lebron
75. Email dated December 13, 2021 from Surfrider Foundation Rincon
76. Email dated December 15, 2021 from Ale Rodriguez
77. Email dated December 16, 2021 from Adelaida
78. Email dated December 16, 2021 from Brenda Guilbe
79. Email dated December 16, 2021 from Carlos Reyes
80. Email dated December 16, 2021 from Denise Otero
81. Email dated December 16, 2021 from Jose J. Delgado Rodriguez
82. Email dated December 16, 2021 from Yolanda Matos
83. Letter dated December 16, 2021 from Frances Robles

Dated: January 3, 2022

## SwainDPRCorresp NYSD

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**From:** Ivette Rosario [REDACTED]  
**Sent:** Saturday, November 27, 2021 3:28 PM  
**To:** NYSD Swain Corresp

### **CAUTION - EXTERNAL:**

Buenas tardes sra.Taylir tenga humanidad y déjenos ir a descansar llevo 37 años de servicio y tengo muchas condiciones de salud sea humana déjenos ir no los merecemos

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** Ana Dorta [REDACTED]  
**Sent:** Tuesday, November 30, 2021 8:26 AM  
**To:** SwainDPRCorresp NYSD  
**Subject:** Aprobar Ley 80 Empleada Ley1 Retiro Incentivado  
  
**Importance:** High

**CAUTION - EXTERNAL:**

Saludos Honorable Laura Taylor Swain:

Soy una empleada de Departamento De Educación llevo 28 años laborando en el gobierno me quiero retirar bajo Ley 80 -2020. No es justo que por tantos años laborando y ahora los nuevos cambios que quiere hacer **Natalie Jaresko que trabaja en la Junta afecte** mi vida emocional y económica. Soy una persona que tengo 4 operaciones en mi pierna derecha y adición tengo condiciones médicas. Necesito retirarme porque tengo a mi madre que tiene alzhéimer la tengo que cuidar pretendo \$600.00 dólares mensuales yo viva que es imposible porque costo de vida va subiendo. Espero que vea la causa todos servidores públicos aquí en Puerto Rico queremos retirarnos 50 % de nuestro sueldo y \$100.00 dólares para el plan médico. Esto es una Promesa de Campaña PNP Gobernadora Wanda Vázquez Garced y Gobernador Pedro Pierlussi. Honorable Jueza Laura Taylor Swain háganos justicia por favor que yo me pueda retirar para próximo año antes 31 de diciembre de 2022. Dios la ilumine para que tome la mejor decisión le bendiga.

Atentamente,

Ana L. Dorta

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** NYSD Swain Corresp  
**Sent:** Tuesday, November 30, 2021 11:40 AM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Saludos

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**From:** Aida Rivera [REDACTED]  
**Sent:** Tuesday, November 30, 2021 11:33 AM  
**To:** NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
**Subject:** Saludos

**CAUTION - EXTERNAL:**

Me dirijo a usted con el propósito de que autorice la ley 80 y ley 81 debido a que soy una persona de 65 años y ya necesito mi retiro y queremos un retiro digno por qué es dinero que aportamos a nuestro retiro para cuando llegara el momento de tener un retiro digno y con un 38 eso no da para vivir y usted sabe cómo está el costo de vida.  
Dios permita que le ilumine y de la aprobación a dichas leyes.

Dios la bendiga

Enviado desde Yahoo Mail para Android

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

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**From:** angel cora [REDACTED]  
**Sent:** Tuesday, November 30, 2021 2:43 PM  
**To:** NYSD Swain Corresp  
**Subject:** Please approve law 80 and 81 of Gobierno de Puerto Rico..

**CAUTION - EXTERNAL:**

I have spent many years where I have left my youth working for the government of Puerto Rico. I deserve a decent retirement. Thank you so much.

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

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**From:** Angel Hermina [REDACTED]  
**Sent:** Tuesday, November 30, 2021 6:46 AM  
**To:** NYSD Swain Corresp  
**Subject:** Please be just don't repeal the law 80 and 81 of P. R.

**CAUTION - EXTERNAL:**

Judge Taylor Swain the Financial Oversight & Management Board for Puerto Rico requested the repeal of Law 80 and 81 in PR. I have been a government employee since June 1989 until now and with the current law I would have to work 40 years of service to obtain 28% of the salary I earned in 2013 (\$12.00 hr) as a pension. Condemning my old age to extreme poverty. With law 80 I would have a pension of 50% of my current salary (\$16.48hr). It is not much but I would have to eat and dress. Please don't do that injustice ....

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** NYSD Swain Corresp  
**Sent:** Tuesday, November 30, 2021 1:06 PM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Ley 80,81 y 82

-----Original Message-----

From: Arleen Garcia Hernandez [REDACTED]  
Sent: Tuesday, November 30, 2021 12:54 PM  
To: NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
Cc: Arleen Garcia Hernandez [REDACTED]  
Subject: Ley 80,81 y 82

CAUTION - EXTERNAL:

Honorable Jueza Swain;

Saludos cordiales;

Estoy solicitando como puertorriqueña que usted pueda escuchar a un pueblo que ha sido sometido a abusos por parte de todos los políticos de todos los colores. Le invito a que evalúe estas leyes 80,81, y 82 para que podamos tener un retiro digno y un retiro incentivado.

Una de las injusticias es ver cómo los jueces que laboran en los tribunales tienen pensiones vitalicias y los policías y los empleados públicos y maestros no tienen esos beneficios. Creo que es injusto que el gobernador de cualquier partido tenga una pensión si lo único que está ejerciendo son 4 años máximo ocho años si revalida.

Observó como la JCF ( Junta Control Fiscal), a costa del pueblo estamos pagando el salario que son millones, mientras muchos de los pensionados que como mis padres trabajaron 40 años le quieren quitar dinero de sus pensiones. Estos pensionados están mayores, tienen condiciones de salud y después de haber trabajado quieren bajar el dinero que reciben de su sustento de vida. Esto no es justo.

La clase trabajadora está haciendo marginada. Mientras que el que no trabaja se le sigue dando beneficios. Yo soy de la ley 80, pero lo que quiero para mí que es una mejor calidad de vida lo quiero para los demás.

En los tiempos antiguos había mucha injusticia social. El pueblo de PR está siendo discriminado al ser objeto de pagar la deuda a toda costa por culpa de legisladores y gobiernos que hicieron que PR cayera en este laberinto de deuda que no sabemos dónde irá a parar esto. La clase trabajadora del pueblo de PR sufre y está emocionalmente agobiado por esta presión económica que nos están implementando sin usar medios positivos para la clase trabajadora.

Me gustaría evaluarla nuestra opinión y permita, el poder irnos con un retiro digno e incentivado con la ley 80,81 y 82.

Agradecida por esta oportunidad. Que Dios le conceda sabiduría de lo alto.

Cordialmente,

Sra. Arleen García

Enviado desde mi iPhone

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** NYSD Swain Corresp  
**Sent:** Tuesday, November 30, 2021 10:11 AM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Consideracion Ley 80  
**Attachments:** Mrs Taylor.docx

**Importance:** High

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**From:** Awilda Flores [REDACTED]  
**Sent:** Tuesday, November 30, 2021 10:10 AM  
**To:** NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
**Cc:** Awilda Flores [REDACTED]  
**Subject:** Consideracion Ley 80  
**Importance:** High

**CAUTION - EXTERNAL:**

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

November 30, 2021

Mrs. Laura Taylor Swain

Good morning

Greetings. I am currently a government employee, law 447 since 1986, I have worked 35 years, for some people it is a lot for others it is little. I entered the government with dreams and goals, we were not born with a golden cradle, we worked hard to retire with dignity, I have seen my companions of law 447 withdraw with what was established when they entered the government. Two years ago, parts of my colleagues left with pre-retirement, much of it we did not go in that window due to financial commitments. Now we are few of the law 447 currently law 80. I understand that it is not fair that all our companions of law 447 have retired and the last ones that are left have to pay for the broken dishes and wait 10 years to retire, bone we would almost leave the government With 70 years, you believe that it is possible that at that age we can

enjoy our life, family, grandchildren, without knowing how long we have left to live and how our health is. I ask you to put yourself in our place and feel the despair that all of us feel in this hope that despairs, I understand that it is in God's time and I have a lot of faith that we will be given the opportunity to retire with dignity, that is why I pray that you give us the opportunity to retire from living what little we have left with dignity.

Thank you, and have a Merry Christmas.

Sincerely,

Awilda Flores Melo  
Asistente Administrativo  
la ASSMCA

30 de noviembre de 2021

Sra. Laura Taylor Swain

Buenos Días

Saludos. Soy empleada gubernamental actualmente ley 447 desde el 1986, he trabajado 35 años, para algunas personas es mucho para otras es poco. Entré al gobierno con sueños y metas, no nacimos con cuna de oro, trabajamos fuertemente para retirarnos dignamente, he visto mis compañeros de la ley 447 retirarse con lo establecido cuando entraron al gobierno. Hacen dos años partes de mis compañeros se fueron con el pre-retiro, mucho no nos fuimos en esa ventana por compromisos económicos. Ahora quedamos pocos de la ley 447 actualmente ley 80. Entiendo que no es justo que todos nuestros compañeros de la ley 447 se hayan retirado y los últimos que quedamos tengamos que pagar los platos rotos y esperar 10 años para retirarnos, ósea saldríamos del gobierno casi con 70 años, usted cree que es posible que a esa edad podamos disfrutar de nuestra vida, familia, nietos, sin saber cuánto nos quede de vida y como este nuestra salud. Le pido que se coloque en nuestro lugar y sienta la desesperación que sentimos todos nosotros en esta espera que desespera, yo entiendo que es en el tiempo de Dios y tengo mucho Fe que se nos va a dar la oportunidad de retirarnos dignamente, por eso le ruego que nos dé la oportunidad de retirarnos de vivir lo poco que nos queda dignamente.

Gracias, y que tenga una Feliz Navidad.

Atentamente,

Awilda Flores Melo  
Asistente Administrativo  
La ASSMCA

## SwainDPRCorresp NYSD

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**From:** INFORMATE PUERTO RICO [REDACTED]  
**Sent:** Tuesday, November 30, 2021 6:44 AM  
**To:** NYSD Swain Corresp  
**Subject:** PUBLIC GOVERMET EMPLOYED PUERTO RICO

### **CAUTION - EXTERNAL:**

GOOD AFTERNOON AND BLESSINGS FOR THIS NEW YEAR THAT IS COMING. IN MY COMMUNICATION IT WILL BE BRIEF BECAUSE I UNDERSTAND THAT THERE ARE MANY PEOPLE WHO WISH TO EXPRESS TO THE HONORABLE JUDGE MRS. TAYLOR SWAIN OUR FEELING AND THE GREAT CONCERN THAT HAS CREATED THE TAX ADJUSTMENT PLAN FOR PUERTO RICO.

MY NAME IS EDUARDO TORRES AND I WORK FOR THE AUTONOMOUS MUNICIPALITY OF SAN JUAN, PUERTO RICO. I HAVE BEEN WORKING AND CONTRIBUTING TO THE RETIREMENT SYSTEMS FOR 31 YEARS OF SERVICE.

MY VISION IS TO RETIRE WITH 30 YEARS OF PUBLIC SERVICE AND HAVE A LIVING PENSION. WHEN I JOIN THE GOVERNMENT OF PUERTO RICO IN 1990 SO THEY LET ME KNOW.

UNFORTUNATELY THE GOVERNMENT OF PUERTO RICO HAS PLAYED WITH THE PUBLIC EMPLOYEE WITHDRAWAL SYSTEM BY CHANGING AND MODIFYING THE LAWS TO WHICH WE SIGNED IN AN ORIGIN. THE RETIREMENT SYSTEMS PROBLEM WAS CREATED BY THE GOVERNMENT OF PUERTO RICO.

THE PUBLIC AND MUNICIPAL EMPLOYEES OF PUERTO RICO HAVE NO FAULT FOR THE BAD GOVERNMENT ADMINISTRATION. THEY HAVE THE DUTY TO HONOR US OUR PENSION BECAUSE WE CONTRIBUTE TO THE RETIREMENT SYSTEM CURRENTLY FOR FIFTEEN.

I CONFIDENTIALLY EXPRESS YOU THAT I HAVE A CONDITION OF CHRONIC HEALTH, TERMINAL AND IT IS WELL SAD AND, DESPERATELY TO KNOW THAT YOU WANT TO MODIFY OUR RETIREMENT SYSTEM.

LAW 80 IS A WAY OF HOPE AND DIGNITY FOR US WORKERS. THE PR GOVERNMENT WILL ONLY HAVE TO HONOR US HALF OF OUR SALARY.

NOT JUST FOR A SPECIFIC AGENCY AS YOU WISH TO DO BUT TO ALL EMPLOYEES QUALIFIED IN LAW 80.

ON BEHALF OF THE THOUSANDS OF EMPLOYEES LAW 447 AND LAW 1 WE ASK YOU VERY RESPECTFULLY NOT TO TOUCH OUR RETIREMENT SYSTEM AND BE HONORED WITH THE IMPLEMENTATION OF LAW 80.

GOD BLESS YOU. AND THANK YOU VERY MUCH FOR BEING OUR EARS.  
I AM SURE THAT I WILL MAKE THE BEST CHOICE FOR THE PEOPLE OF PUERTO RICO  
THANK YOU SO MUCH.

EDUARDO TORRES

[REDACTED]

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**From:** Enid Vega  
**To:** [NYSD Swain Corresp](#)  
**Subject:** Ley 80  
**Date:** Tuesday, November 30, 2021 5:43:51 AM

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CAUTION - EXTERNAL:

Con todo respeto confío usted va a tomar en consideración y evaluar la ley de manera que podamos disfrutar de un retiro al cual hemos aportado en mi caso particular llevo 35 años ejerciendo mi profesión de terapista fisico de los cuales 27 años han sido al servicio público y 58 años de edad. Tengo condiciones de salud las cuales me hacen difícil ejecutar mis labores como terapista físico. Le agradecería de todo corazón tome en consideración a los servidores públicos que hemos hecho nuestro trabajo con mucho esfuerzo y dedicación pero ya estamos cansados y enfermos. Bencinas y Feliz Navidad.

Enviado desde mi iPhone

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**From:** [POCHO Nieves-Ramos](#)  
**To:** [NYSD Swain Corresp](#)  
**Subject:** Laws 80 & 81  
**Date:** Tuesday, November 30, 2021 2:29:01 AM

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**CAUTION - EXTERNAL:**

Your Honor, we ask you to pass laws 80 and 81 to welcome a dignified retirement  
Please, help us!

Filiberto Nieves Ramos  
PR Goberment Employee

Sent from Pocho's Galaxy S7

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** Iniabelle Colon Guzman [REDACTED]  
**Sent:** Tuesday, November 30, 2021 8:25 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

### **CAUTION - EXTERNAL:**

Me dirijo a usted con el mayor respeto solicitando se de paso a la Ley 80. Soy paciente de fibromialgia con 26 años de servicio en la administración de tribunales. Entiendo que ya he cumplido con un servicio de excelencia y compromiso, pero ya es hora de poder disfrutar de un merecido retiro. Agradezco la atención que brinde a mi solicitud y la de muchos servidores públicos que se vieron afectados con la nefasta ley 3.

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** Jannette Ramos [REDACTED]  
**Sent:** Tuesday, November 30, 2021 8:10 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80 y Ley 81

**CAUTION - EXTERNAL:**

Honorable Jueza Taylor Swain:

Favor usar traslaciónn.

Soy empleada de una área médica de una de las Cárcel es del Puerto Rico, llevó laborando 29 años y tengo 55 años, soy paciente de cáncer. Soy empleada civil, ley 1 . Los gobernadores de Puerto Rico han tomado sin la autorización de los empleados nuestro dinero de retiro que por muchos años hemos pagado. Ahora al día de hoy tenemos que laborar 40 años y 65 años de edad para un 28 por ciento de retiro de sueldos que no llegan a 2 mil dólares al mes. Para ganar a los 65 años enfermos un retiro de 379.00 dólares al mes. Jueza quien vive en éste país tan costoso con un retiro de pobreza. El pan está mal repartido en éste país. Solo unas agencias hemos sido perjudicado con nuestro retiro. Le pido de favor sea justa y nos apruebe la ley 80 y 81. Los empleados de las Cárcel es corremos riesgos y alto nivel de stress que no pasan otros empleados y no nos gratifican, lo contrario nos quitan nuestros beneficios. Este gobierno a cometido la injusticia y atropello más grande con empleados honrados que laboramos día a día con sueldos pobres para poder sostener nuestras familia y nadie hace justicia. Tenemos confianza en que usted tome una desición justa y no pueda ayudar de tanto abuso y dolor por el cual hemos pasado por años. Dios la bendiga y le de sabiduría para ayudar a los empleados atropellados por años, con malas administraciones.

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

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**From:** John Kelly [REDACTED]  
**Sent:** Tuesday, November 30, 2021 2:28 PM  
**To:** NYSD Swain Corresp  
**Subject:** Muy respetuosamente le pido que le de paso a las leyes 80 y 81, gracias

CAUTION - EXTERNAL:

John Kelly

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** NYSD Swain Corresp  
**Sent:** Tuesday, November 30, 2021 6:20 PM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Law 80 Puerto Rico

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**From:** Jonathan Burgos Rivera [REDACTED]  
**Sent:** Tuesday, November 30, 2021 6:18 PM  
**To:** NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
**Subject:** Law 80 Puerto Rico

**CAUTION - EXTERNAL:**

Good evening,

I'm writing to you on behalf of my mother. She has been working at a government agency for the past 33 years, 31 of them counting for retirement. If this law gets implemented, she would finally have her hard earned retirement she badly wishes for. Since the former governor, Pedro Roselló, extended the years a person had to have worked for to be able to retire from 30 to 40, my mom would still have to work 9 more years to be able to retire. That is just unfair, a lot of people won't even make it to that age because of how overworked they are. So I'm here pleading that you take into consideration all of the people that just want to be able to have a breather in the last stages of their lives. The oversight board is against this because they're simply not affected by it. They would still have ridiculous salaries while we the people have to suffer more and more. All I ask for is to take into consideration that the money the people wanting to benefit from this law would get is their own hard earned money (and only 50% of it), not the goverment's. I hope you make your decision after a lot of consideration. And I hope you have an amazing day.

Thank you for your attention,

Jonathan Burgos Rivera

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**From:** [Jorge Irizarry](#)  
**To:** [REDACTED]

**Cc:** [REDACTED]  
**Subject:** Retiro Incentivado Art 4B Ley 1 / Ley 81  
**Date:** Tuesday, November 30, 2021 3:30:25 AM  
**Attachments:** [Retiro Incentivando 2021 \(00000003\).docx](#)

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**CAUTION - EXTERNAL:**

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

- A: Natalie Jaresko
- De: Empleados Pùblicos Ley 447 y Ley 1 / Art. 4B enmendada
- A todos los miembros de Junta Control Fiscal nosotros los Empleados Pùblicos le pedimos a ustedes que nos aprueben honren y aprueben la Ley 80 y Ley 1 de Retiro Incentivado estamos pasando grandes momentos de angustias, desesperos, intranquilidad, nos encontramos enfermos muchos con diagnòsticos de Ansiedad Generalizada y otros con otras enfermedades cardiovasculares y diabetes.
- Lo que le estamos solicitando a ustedes es verdaderamente se nos apruebe esa Ley 80 y Ley
- Toda esta situacion esta causando graves problemas de salud en los Servidores Pùblicos y hasta nos pone a pensar que se nos ha maltratado emocionalmente y fìsicamente a todos nosotros.
- En relaciòn a todos Amigos perjudicados en el encadillado 4b y los Fondos Federales y Combinados les habló con la verdad y de corazon la verdad y la realidad de su jubilaciòn solo esta en las manos de la Junta de Control Fiscal que acepte las enmienda 4b con evidencia de ahorros sustanciales.



## **Hon. Pedro R. Pierluisi Urrutia**

**Demuestre su compromiso con los empleados  
públicos activos de la Ley 447 y la Ley 1.  
Necesitamos su respaldo ante la Junta de  
Control Fiscal para la aprobación de la  
Ley 80-2020 sobre retiro incentivado.**

**Muchos de nosotros hemos sobrepasado  
nuestro ciclo de treinta años trabajados,  
con grandes aportes y muchos sacrificios.**

**“Ya es hora de podernos tomar un  
merecido descanso y poder disfrutar  
de un retiro digno”**

**SwainDPRCorresp NYSD**

---

**From:** Limaris Soto [REDACTED]  
**Sent:** Tuesday, November 30, 2021 9:49 PM  
**To:** NYSD Swain Corresp  
**Subject:** Law 80

**CAUTION - EXTERNAL:**

Honorable Judge:

I beg you to allow the implementation of Law 80. I am a single mother and I have fought for my daughters all these years. I need a break. I have given the best years of my life to public service. We do not deserve to pay for the damages of politicians.

Please do social justice.

Get [Outlook for Android](#)

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

---

**From:** Manuel Rivera [REDACTED]  
**Sent:** Tuesday, November 30, 2021 2:46 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80 y 81 yá

**CAUTION - EXTERNAL:**

Puerto Rico servidores públicos

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

---

**From:** MARIA OSORIO [REDACTED]  
**Sent:** Tuesday, November 30, 2021 9:06 PM  
**To:** NYSD Swain Corresp  
**Subject:** Retirement Law 80 and 81

**CAUTION - EXTERNAL:**

Hon. Judge Swain:

On 8/16/1985 I signed a contract with Puerto Rico government to receive 75% of the 36 highest monthly salary with age 55 and 30 years of work. As you know the law was changed on 2013, in my case I will receive 44% of the salary by 2013 at age 61 (August 2022).

Law 80 is a benefit to our retirement, it provides 50% of the actual salary. For me at least this is enough, the medical insurance can be excluded. Please make justice for us. I have 36 years of work history and 60 years old. This Law guarantees a best senior life.

Our future is in your hands.

Sincerely and respectfully,

Maria de L. Osorio  
[REDACTED]

Sent from Yahoo Mail on Android

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

---

**From:** NYSD Swain Corresp  
**Sent:** Tuesday, November 30, 2021 10:46 AM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Retirement law 80

---

**From:** Miguel Cartagena [REDACTED]  
**Sent:** Tuesday, November 30, 2021 10:44 AM  
**To:** NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
**Subject:** Retirement law 80

### **CAUTION - EXTERNAL:**

I am requesting the autorization for the implmentation of retirement law 80 I had been working for 33 years and I need retirment because I feel sick and tired please take action about this I realy need it

Enviado desde Yahoo Mail para Android

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

---

**From:** NYSD Swain Corresp  
**Sent:** Tuesday, November 30, 2021 1:06 PM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Empleado de Ley #1

-----Original Message-----

From: Nelson Saavedra Barreto [REDACTED]  
Sent: Tuesday, November 30, 2021 12:30 PM  
To: NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
Subject: Empleado de Ley #1

CAUTION - EXTERNAL:

Honorable Jueza Taylor:

Con mucho respeto me dirijo a usted ya que la Junta de Supervisión Fiscal ha solicitado ante su sala, que se dejen sin efecto las leyes 80, 81 y 82 ya firmadas por la pasada gobernadora Wanda Vázquez y que no se han implementado ante la posición de la junta de que las mismas no son comparables con la ley PROMESA y el PAD. En mi caso en particular aunque comencé a trabajar para la AAA(PRASA) en dic/1989, fui nombrado en dic./1990 bajo la ley 1. No obstante en el 2013 la ley 3, cambia todo nuestro sistema de retiro dejándonos (en mi caso con un 34% ) de pensión de un salario fijo que tenía en el 2013 mas otra parte híbrida y mi aportación de la ley 106. Simplemente le pido que evalúe todos estos aspectos pues la ley 80 viene a tratar de enmendar el daño que ya nos hizo la Ley 3 del 2013 Muchas gracias por escucharnos Sent from my iPhone This message is for the designated recipient only and may contain privileged, proprietary, or otherwise private information. If you have received it in error, please notify the sender immediately and delete the original. Any other use of the email by you is prohibited. Este mensaje es para el o los destinatario(s) exclusivamente. Puede contener información que es privilegiada, propietaria o privada. Si ha recibido en error este mensaje, favor de notificar al remitente inmediatamente y elimine el mensaje original. Cualquier otro uso de este mensaje por su parte queda totalmente prohibido.

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## SwainDPRCorresp NYSD

---

**From:** NYSD Swain Corresp  
**Sent:** Tuesday, November 30, 2021 10:54 AM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Ley 80

---

**From:** Ramon Gonzalez [REDACTED]  
**Sent:** Tuesday, November 30, 2021 10:49 AM  
**To:** NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
**Subject:** Ley 80

### **CAUTION - EXTERNAL:**

Saludos Honorable Swain,

Los empleados de las Leyes 447 y 1 hemos dejado nuestros mejores años al servicio del pueblo.

Nos han eliminado la gran mayoria de nuestros beneficios. Empezando con nuestro retiro con el 75% de nuestro sueldo.

La gobernadora de turno firmó la Ley 80 con tan solo un 50% de nuestro sueldo. Esto representa un gran ahorro para el gobierno.

No solo se ahorran el 50% de los sueldos... sino también todos los seguros que pagan las agencias para estos empleados. Imagine todo lo que hay que pegar si nos quedamos. El 50% no es justo, pero por lo menos nos podemos retirar antes y aprovechar lo que nos queda de salud a aquellos que la tengamos. Muchos están trabajando enfermos.

Si se reorganiza el gobierno ninguna oficina se quedará sin servicios. Maxime ahora que entraron al gobierno los miles de empleados de la AEE. Muchos de estos no tienen tareas asignadas.

Necesitan hacer una ley para que no llenen la plazas de los que se jubilan. Con esta reorganización se le dará continuidad a los servicios y el gobierno se podrá ahorrar millones de dolares a partir del 3 año.

Los que se retiran

60% Indispensable

40% No indispensable

Imaginese ahora los mas de 100,000 empleados que se quedan que el 40% no son indispensables. Se podrán poner a trabajar o no hay voluntad ni compromiso para lograrlo?

Con todo respeto le pido... pongase en nuestro lugar y piense si es justo.

Que hay que pagar la deuda? Totalmente de acuerdo.

Que nos merecemos un retiro digno? Totalmente de acuerdo.

Que Dios ilumine su mente brillante... por algo está ahí.

Muchas bendiciones!!!!

Ramón L. González Gómez  
[REDACTED]

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** NYSD Swain Corresp  
**Sent:** Tuesday, November 30, 2021 4:38 PM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW:

---

**From:** Raymond Jorge Galarza [REDACTED]  
**Sent:** Tuesday, November 30, 2021 4:37 PM  
**To:** NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
**Subject:**

**CAUTION - EXTERNAL:**

Honorable JuezaSwain con todo el respeto con la aprobacion de Dios en ponerla a su cargo deseo pedir la apobacion de las leyes 80 y 81

Enviado desde mi Samsung Mobile de Claro

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**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**From:** [Reinaldo Collazo](#)  
**To:** [NYSD Swain Corresp](#)  
**Subject:** Ley 80  
**Date:** Tuesday, November 30, 2021 12:44:27 AM

---

CAUTION - EXTERNAL:

Good morning: Honorable Judge Laura Taylor Swain

My name is Reinaldo Collazo. I am a public employee and I am 60 years old. Like many public employees who are ill, we have had to live the most difficult moments in the Government. Law 80 is not a spending law. On the contrary, it represents a significant saving in payroll for the government of Puerto Rico. We have been waiting a long time for justice to be done. Law 80 represents for all of us a hope of a dignified retirement and we trust that you will do everything in your power to do us justice.

We will be very grateful for your help.

Sincerely,

Reinaldo Collazo Dávila

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

---

**From:** Rosa Rivera Matta [REDACTED]  
**Sent:** Tuesday, November 30, 2021 12:59 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

CAUTION - EXTERNAL:

Good Afternoon: Honorable Judge Laura Taylor Swain

My name is Rosa J. Rivera Matta. I am a public employee and I am 60 years old. Like many public employees who are sick, she has had to live the most difficult moments in the Government. Law 80 is not a spending law. On the contrary, it represents a significant saving in payroll for the government of Puerto Rico. We have been waiting a long time for justice to be done. Law 80 represents for all of us a hope of a dignified retirement and we trust that you will do everything in your power to do us justice.

We will be very grateful for your help.

Sincerely,

Rosa J. Rivera Matta

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** José A. Fontanez [REDACTED]  
**Sent:** Tuesday, November 30, 2021 9:11 AM  
**To:** NYSD Swain Corresp  
**Subject:** PROMESA Title III Case No 17-BK-3283

**CAUTION - EXTERNAL:**

Dear Hon Judge Taylor Swain:

My name is Jose A Fontánez . At the following link:

[https://drive.google.com/file/d/1I1F7VWPVUXWT1h\\_7ui3CcJhNv3M8db\\_P/view](https://drive.google.com/file/d/1I1F7VWPVUXWT1h_7ui3CcJhNv3M8db_P/view) you will find a letter with a joint petition by the Alliance for Science in the UPR to extend the period for evaluation of the Fiscal Adjustment Plan proposed by the Financial Oversight Management Board on behalf of the Commonwealth of Puerto Rico. Our voices have not been represented in this process and they need to be heard.

At this moment the petition has close to 100 signatures from UPR scientists, including ex deans and directors.

The petitions can be accessed publicly at <https://www.upr-science-alliance.org>

Respectfully,  
Jose A Fontánez

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

---

**From:** lianabel rodriguez [REDACTED]  
**Sent:** Tuesday, November 30, 2021 8:35 AM  
**To:** NYSD Swain Corresp  
**Subject:** The Law of Retirement

**CAUTION - EXTERNAL:**

I am an employee of Law 1, which is contemplated in Law 80 for the retirement of government employees.  
Please, we are many employees who have fought working for a government, that what has done is to take away our benefits. We need justice now, we are not guilty of the mismanagement of governments that what they have done is bankrupt our people.

Yes to Law 80

!

Lianabel Rodriguez Rivera  
PRASA

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** [REDACTED]  
**Sent:** Tuesday, November 30, 2021 5:53 AM  
**To:** NYSD Swain Corresp  
**Subject:** LEY 80 y LEY 81

**CAUTION - EXTERNAL:**

Honorable jueza Swain:

Me dirijo a usted humildemente para pedirle que apruebe las leyes 80 y 81 en Puerto Rico. Soy una persona mayor con varias condicione de salud muy delicadas y neesito urgentemente poder jubilarme para descansar y poder darme los tratamientos que anto necesito.

Llevo 42 anos trabajando y ya el cuerpo no da mas. Por favor, ayudenos a poder jubilarnos y poder descansar.

Gracias por su atencion.

--

Enviado desde la aplicación Universal Email App para Android

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**SwainDPRCorresp NYSD**

---

**From:** Angel Hermina [REDACTED]  
**Sent:** Wednesday, December 01, 2021 12:25 PM  
**To:** NYSD Swain Corresp  
**Subject:** In yours hands is the future of thousand of people of the third age (seniors) in PR.

**CAUTION - EXTERNAL:**

Judge Taylor Swain the Financial Oversight & Management Board for Puerto Rico requested the repeal of Law 80 and 81 in PR. I have been a government employee since June 1989 until now and with the current law I would have to work 40 years of service to obtain 28% of the salary I earned in 2013 (\$12.00 hr) as a pension. Condemning my old age to extreme poverty. With law 80 I would have a pension of 50% of my current salary (\$16.48hr). It is not much but I would have to eat and dress. Please don't do that injustice ....

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

---

**From:** Carmen Medina [REDACTED]  
**Sent:** Wednesday, December 01, 2021 8:36 AM  
**To:** NYSD Swain Corresp  
**Subject:** Mi Retiro Ley 80

CAUTION - EXTERNAL:

Llevo en la Corporación del Fondo del Seguro del Estado 31 años de servicio, firme para 30 años de servicio. Tengo 56 años de edad. No soy responsable de los malos manejos de los gobernantes de mi país que jugaron con mi retiro. Estoy cansada y agobiada de la injusticia con los servidores públicos. Necesito me retiro.  
Que auditen la deuda y pongan responsabilidades a los que actuaron de mala fe.

Enviado desde mi iPhone

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

---

**From:** Elena de Jesús [REDACTED]  
**Sent:** Wednesday, December 01, 2021 9:33 AM  
**To:** NYSD Swain Corresp  
**Subject:** PROMESA Title III Case No 17-BK-3283

CAUTION - EXTERNAL:

Dear Hon Judge Taylor Swain:<BR><BR>My name is Elena de Jesús Graham. At the following link:  
[https://drive.google.com/file/d/1I1F7VWPVUXWT1h\\_7ui3CcJhNv3M8db\\_P/view](https://drive.google.com/file/d/1I1F7VWPVUXWT1h_7ui3CcJhNv3M8db_P/view) you will find a letter with a joint petition by the Alliance for Science in the UPR to extend the period for evaluation of the Fiscal Adjustment Plan proposed by the Financial Oversight Management Board on behalf of the Commonwealth of Puerto Rico. Our voices have not been represented in this process and they need to be heard.<BR><BR>At this moment the petition has close to 100 signatures from UPR scientists, including ex deans and directors. <BR><BR>The petitions can be accessed publicly at <https://www.upr-science-alliance.org><BR><BR>Respectfully,<BR>Elena de Jesús Graham

Sent from my iPhone

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

---

**From:** Janet Aviles [REDACTED]  
**Sent:** Wednesday, December 01, 2021 10:44 AM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80 Empleada Ley 1

### **CAUTION - EXTERNAL:**

Buenos dias y saludos cordiales:

Honorable Jueza Laura Taylor Swain como empleada de la Ley 1 le suplicamos evalúe nuestra situación respecto a la ley 80 y proceda a aprobarla.

Como empleados públicos sentimos mucha indignación al vernos afectados con la decisión de nuestro retiro por determinaciones incorrectas tomadas por el gobierno.

Entendemos no es justo que sea derogada la Ley 80 para la cual nos correspondería el 50% del salario bruto; a pesar de que cuando fuimos nombrados era un 75% del sueldo.

Nuestros beneficios adquiridos del retiro que los pagamos los empleados, no merecen que sean utilizados como excusa para resolver la situación económica del país.

Espero comprenda que hemos cumplido con nuestro deber y es por esa razón que luchamos por lo único que tendremos para la vejez que es el retiro y de no ser así viviremos en una pobreza extrema con el 30% o menos de nuestro ingreso al cumplir los 65 años si Dios lo permite.

Con la ayuda de Dios que la ilumine a tomar la mejor decisión ; en sus manos queda nuestro sentir y frustración y que por las condiciones de salud necesitamos urgente que sus pensamientos se dirijan a un resultado positivo hacia los empleados publicos de la Ley 80 (Ley 447 y Ley 1).

Dios la bendiga siempre y mucho éxito en sus funciones.

Agradecida de que tome en consideración nuestro sentir y preocupación para el futuro de todos los empleados públicos de la Ley 80.

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

---

**From:** Juan C. Rodriguez  
**Sent:** Wednesday, December 01, 2021 9:48 AM  
**To:** NYSD Swain Corresp

### **CAUTION - EXTERNAL:**

Buenos dias, Honorable por este medio le pedimos que estudie y analize nuestros reclamos. Llevo 33 años sirviendo a mi pueblo como servidor publico, es para mi un orgullo ser servidor publico, cuando comenze en el 1988 el retiro era un 75 @ 65 % segun la edad de cada individuo. Hoy eso no existe. Con lo que nos quieren dar de retiro no da para vivir, en medicamentos, visitas a medicos, luz, agua, gas, compra, no podemos. Dejarnos sin un (Retiro Digno) es llevarnos a la indigencia. Aclamamos a usted y nuestro Dios que se nos haga justicia. RETIRO DIGNO YA LEY 80 Y 81. Bendiciones

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

---

**From:** MARISOL Cordero [REDACTED]  
**Sent:** Wednesday, December 01, 2021 2:01 PM  
**To:** NYSD Swain Corresp  
**Subject:** Re: Ley 80 retiro empleados

### **CAUTION - EXTERNAL:**

Hemos trabajado durante años para gobierno de PR hemos sacrificado nuestra familia nuestra salud ya es hora descansar solicitamos su empatia para que nos deje retirar dignamente no pedimos nada que no nos corresponda confiamos sea justa y no nos de la espalda

El mié., 1 de diciembre de 2021 2:43 p. m., MARISOL Cordero [REDACTED] escribió:  
Hemos trabajado y sacrificado años trabajando para gobierno de Puerto Rico ya queremos retirarnos y disfrutar de nuestra familia no estamos pidiendo nada que no sea nuestro derecho tenga en cuenta los años no pasan en vano y nuestra salud se va afectamos usted debe entender lo que le solicitamos que sea empatica con quien se ha levantado durante 25 y30 años a darlo todo por ayudar a los ciudadanos ya es nuestro tiempo de descanso

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**SwainDPRCorresp NYSD**

---

**From:** Carmen M. Malave [REDACTED]  
**Sent:** Thursday, December 02, 2021 3:53 PM  
**To:** NYSD Swain Corresp  
**Subject:** Buenas tardes, espero que esté bien. Me refiero a la Ley 80\_2020. Necesito que se implemente ya, y que sea vitalicia. Fue un contrato entre mi Patrono y yo, yo he honrado mi trato; le corresponde al Gobierno honrar el suyo. Son 33 años de servicio, hon...

**CAUTION - EXTERNAL:**

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

---

**From:** David Rodriguez [REDACTED]  
**Sent:** Thursday, December 02, 2021 9:38 AM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80 y Ley 81

**CAUTION - EXTERNAL:**

Saludos

Jueza Laura Taylor Swain

Le pedimos a favor de todos los empleados públicos que han ofrecido un servicio de excelencia que la decisión que usted tome sea justa y favorable. Solo le pedimos con el respeto que usted se merece que piense en nosotros muchos ya enfermos cansados y solo pedimos su granito de arena para poder disfrutar de nuestra pensión .

Yo estoy seguro que usted tomará la decisión correcta y no nos defraudará como quiere hacer la Junta y que los servidores públicos seamos siempre lo que paguemos por falta de una buena Administración sana y justa. Que el Dios Todopoderoso le dé mucha salud y bendiciones a usted y familia.

Gracias por escucharnos

Sent from my iPhone

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## SwainDPRCorresp NYSD

**From:** Elizabeth I. Ruiz Tapia [REDACTED]  
**Sent:** Thursday, December 02, 2021 4:32 PM  
**To:** NYSD Swain Corresp  
**Subject:** Law 80 Retirement for public Employees

### CAUTION - EXTERNAL:

Your Honor;

My name is Elizabeth Ruiz, I been 33 years as a Government Employee, I am part of the 447 Retirement Law. We proudly serve our island. I know after all this fiscal problems, something had to be done. Why us? We are mentally exhausted, this matters is about our future, our Government put us in this position, someone have take responsibility for the bad decisions, is not our fault, we can't paid the price with our retirement.

Your honor, I believe in the Justice System, and I believe your are gone make the best decisions for all of us.

Thanks,  
Elizabeth Ruiz

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Think Green! Please do not print this e-mail unless it is completely necessary.

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## SwainDPRCorresp NYSD

---

**From:** jesus castro [REDACTED]  
**Sent:** Thursday, December 02, 2021 12:36 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

**CAUTION - EXTERNAL:**

Justice for the People on Public Service in PR  
Thank's  
God Bless You!  
[Sent from Yahoo Mail for iPhone](#)

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

---

**From:** Manuel Rivera [REDACTED]  
**Sent:** Thursday, December 02, 2021 12:24 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80 y 81 yá empleados públicos puerto rico

**CAUTION - EXTERNAL:**

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

---

**From:** Raimar Martinez [REDACTED]  
**Sent:** Thursday, December 02, 2021 7:25 AM  
**To:** NYSD Swain Corresp  
**Subject:** Re: Puerto Rico Debt

**CAUTION - EXTERNAL:**

Greetings Honorable Judge Laura Taylor Swain,

I hope this brief message is able to be delivered to you. In regards to Puerto Rico's debt case, as a citizens, I am obviously concerned. But I think you will find that if the Fiscal Board focuses on the corruption that occurs in the municipalities, with the 78 mayors, the assessment team for all of those mayor's, the legislature and the assessment team for both house and Senate, the Fiscal Board wouldn't need to cut services to the public.

I worry about a Puerto Rico with less population, less economic activity and less income, causing further restructuring of the debt necessary in the near future.

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## SwainDPRCorresp NYSD

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**From:** NYSD Swain Corresp  
**Sent:** Thursday, December 02, 2021 3:34 PM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Ley 80

-----Original Message-----

From: Reinaldo Collazo [REDACTED]  
Sent: Thursday, December 2, 2021 3:28 PM  
To: NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
Subject: Ley 80

CAUTION - EXTERNAL:

Good afternoon: Honorable Judge Laura Taylor Swain

My name is Reinaldo Collazo Dávila. I am a Public Employee of the Government of Puerto Rico and I am 60 years old. Like many public employees who are sick, we have lived through the most difficult times we could ever imagine. Law 80 is not a spending law. On the contrary, it represents a significant saving in payroll for the Government of Puerto Rico. We have been waiting a long time for justice to be done. Law 80 represents for all of us a hope of having a dignified retirement. We trust that you will do everything in your power to do us justice.

We will be very grateful for your help. God bless you

Sincerely,

Reinaldo Collazo Dávila

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

---

**From:** Reinaldo Collazo [REDACTED]  
**Sent:** Thursday, December 02, 2021 5:22 AM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

CAUTION - EXTERNAL:

Good morning: Honorable Judge Laura Taylor Swain

My name is Reinaldo Collazo. I am a public employee and I am 60 years old. Like many public employees who are ill, we have had to live the most difficult moments in the Government. Law 80 is not a spending law. On the contrary, it represents a significant saving in payroll for the government of Puerto Rico. We have been waiting a long time for justice to be done. Law 80 represents for all of us a hope of a dignified retirement and we trust that you will do everything in your power to do us justice.

We will be very grateful for your help.

Sincerely,

Reinaldo Collazo Dávila

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**SwainDPRCorresp NYSD**

---

**From:** Rosa Caez [REDACTED]  
**Sent:** Thursday, December 02, 2021 7:00 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

CAUTION - EXTERNAL:

Saludos .voy a dirigirme a usted ,porque entiendo que los empleados públicos no le han dicho las cosas como son . Sra Jueza .El retiro de lo nosotros los empleados públicos lo pagamos cada uno de nosotros .Este dinero que guardamos por año en ningún momento los diferentes gobiernos que nos han robado nos pidieron permiso para vender bonos y despilfarrar el dinero y saquear las arcas del retiro fue por años que defalcaron el retiro . Ahora bien yo no tengo culpa de que eso haya sucedido porque yo no tenía opción de guardar el dinero en otra parte . Además el mismo derecho que tiene los empleados retirados que están cogiendo su pensión al 75 porciento lo tenemos los empleados de la ley 447 que quedamos en las agencias de gobierno que somos bien pocos . Solo los de la ley 447 somos los que tenemos derecho de irnos a los 30 años de servicio y todavía estamos trabajando . Tenemos las esperanzas puestas en usted .De que es una persona justa y que nos va hacer justicia . Y de que vamos a ver luz al final del camino . El ex gobernador Alejandro García Padilla cambió la ley en el año 2013 y no debí ser así porque eso Lo tenía que hacer prospectivo .

Enviado desde mi iPhone

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**SwainDPRCorresp NYSD**

---

**From:** Rosa Rivera Matta [REDACTED]  
**Sent:** Thursday, December 02, 2021 5:21 AM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

CAUTION - EXTERNAL:

Good Morning: Honorable Judge Laura Taylor Swain

My name is Rosa J. Rivera Matta. I am a public employee and I am 60 years old. Like many public employees who are sick, she has had to live the most difficult moments in the Government. Law 80 is not a spending law. On the contrary, it represents a significant saving in payroll for the government of Puerto Rico. We have been waiting a long time for justice to be done. Law 80 represents for all of us a hope of a dignified retirement and we trust that you will do everything in your power to do us justice.

We will be very grateful for your help.

Sincerely,

Rosa J. Rivera Matta

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## SwainDPRCorresp NYSD

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**From:** sahid echevaray [REDACTED]  
**Sent:** Thursday, December 02, 2021 10:42 AM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80 de Retiro

CAUTION - EXTERNAL:

>>

>>

>> Dear Honorable Laura Tyler Swain!

>> I am writing to you in regard to the oversight board petition to nullify the following Laws 80, 81, and 82 early retirement for public employees . I am a public employee that has been working for the past 34 years, for the Puerto Rico Acueduct & Sewer authority! I was born in San Juan PR and saw the suffering of many people living under poverty, the cost of living continue rise, many workers have to work two jobs to make ends meet, especially single mothers, who's only income is one paycheck! The retirement system has gone through three reforms all affecting the public employee. The public employee have suffered so much, first there pension has been cut down, by law 3 of 2013, which means what they expected to get when they retire, is much less, we are talking about , employee that when they reach retirement age, what they will receive will not be enough to cover their expenses, since when you reach a certain age, most will have health problems that their medical plan will not be enough to cover medical cost, this will be another burden for the employee! Second, benefits have been cut, no medical plan benefit, and retirement age raised! Since 2013, the employee pays their own pension, the government does not contribute to the pension! The cost of living will continue to rise, but the pension will be the same, without any hope for cost of living raise to their pension! We have left our lives to serve the people of Puerto Rico and consider that justice should to be done to the public employee! Our pension is not a handout, we have contributed to our pension. I hope and pray that this communication reach you, and you consider not nullifying law 80, 81 and 82! Respectfully we request your support! Have a great day!

>> Sahid Echegaray Arbona

>> Sent from my iPhone

>>

>>

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## SwainDPRCorresp NYSD

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**From:** Carmen L Rijos [REDACTED]  
**Sent:** Thursday, December 02, 2021 9:44 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80 y 81

### **CAUTION - EXTERNAL:**

Honorable Jueza Swain por favor ordénele a la junta de Supervisión Fiscal en Puerto Rico que pongan en vigor el retiro de los servidores públicos que llevan ya 30 años de servicio. Ya estamos cansados, viejos y enfermos y queremos darle paso a la gente joven dejando la mitad de nuestro salario en sus manos. Por favor déjenos ir ya hemos sufrido muchas injusticias robándose nuestras aportaciones de retiro, ya nos cortaron más de la mitad y nos subieron la edad de retiro cuando ya lo hemos dado todo y ahora no tenemos nada. Solo queremos vivir los años que nos quede con un poco de paz. Jueza Swain estamos en sus manos, nuestro futuro bueno o malo está en sus manos. POR FAVOR HÁGANOS JUSTICIA.

GRACIAS

CARMEN L RIJOS  
TERAPISTA FÍSICO- CFSE

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## SwainDPRCorresp NYSD

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**From:** Angel Hermina [REDACTED]  
**Sent:** Friday, December 03, 2021 8:56 AM  
**To:** NYSD Swain Corresp  
**Subject:** My future is in yours hand. I hope you have mercy on us.

**CAUTION - EXTERNAL:**

Judge Taylor Swain when I start working i sign a contract of 30 years with a pension 75% of my salary with the goverment but they change it. The Financial Oversight & Management Board for Puerto Rico requested the repeal of Law 80 and 81 in PR. I have been a government employee since June 1989 until now and with the current law I would have to work 40 years of service to obtain 28% of the salary I earned in 2013 (\$12.00 hr) as a pension. Condemning my old age to extreme poverty. With law 80 I would have a pension of 50% of my current salary (\$16.48hr). It is not much but I would have to eat and dress. Please don't do that injustice.

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**SwainDPRCorresp NYSD**

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**From:** [REDACTED]  
**Sent:** Friday, December 03, 2021 8:34 AM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

CAUTION - EXTERNAL:

Señora jueza Taylor.

Me dirijo a usted a cargo de la decisión de la Ley 80. En sus manos está el hacerle justicia a los empleados públicos nombrados bajo la ley 80 y que llevan más de 30 años trabajando. . Le han violado constantemente sus derechos bajándole la pensión a nivel de indigencia, aumentándole los años para poder retirarse, bajándole los días de vacaciones o les hacen cierres administrativos con cargo a vacaciones a discreción del jefe de la agencia, todo esto llevándonos a la desesperación . Pero todo esto parece que no les ha sido suficiente, ahora quieren quitarnos la pensión por la que tanto hemos trabajado.

Por favor haga justicia, ya que los políticos y la junta solo piensan en su propio beneficio y no se acuerdan de dónde sale el dinero de su buen sueldo y los muchos beneficios que tienen.

Gracias por la justicia que pueda tener con los empleados públicos de Puerto Rico.

Att. Elsie Camacho.

Enviado desde mi iPhone

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## SwainDPRCorresp NYSD

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**From:** Ineabelle Irizarry [REDACTED]  
**Sent:** Friday, December 03, 2021 6:59 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

CAUTION - EXTERNAL:

Sra. Laura Taylor Juez encargada de la decisión de la Ley 80 en sus manos es El Futuro de un Pueblo Trabajador que ha brindado más de 30 años de servicio para que su país sea tratado de manera indignante y de pobreza. Es lamentable también que con más de 30 años no puedan irse porque con pagados con fondos combinados.

Señora Juez, que está en el análisis de la Ley 80, mire y lea todos los correos electrónicos y como ha expresado que estará buscando el mejor bienestar del Pueblo en sus manos que los Servidores Públicos no sean maltratados.

Te pedimos a ti y a Dios que la iluminen por el bien de este país y de los servidores públicos.

Feliz Navidad Dios te bendiga Enviado desde mi iPhone CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

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**From:** jose [REDACTED]  
**Sent:** Friday, December 03, 2021 12:10 AM  
**To:** NYSD Swain Corresp  
**Subject:** Por favor,los empleados públicos de P.R.hemos trabajado muchos años.La ley 80 y 81 nos ayudaría que en nuestra vejez podamos vivir un poco mejor.De lo contrario estamos condenados a vivir en la indigencia en nuestros últimos años de vida.o más aún a n...

**CAUTION - EXTERNAL:**

Att.JOSE DOMINGUEZ  
Empleados CFSE.

Muchas gracias.

Sent from my T-Mobile 4G LTE Device

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## SwainDPRCorresp NYSD

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**From:** maritza\_lausell [REDACTED]  
**Sent:** Friday, December 03, 2021 2:11 PM  
**To:** NYSD Swain Corresp

### CAUTION - EXTERNAL:

Honorable jueza Laura Taylor Swain:

Mi nombre es Maritza Lausell Rodríguez. Tengo 67.7 años de edad. Trabajo en la CFSE Región de Aguadilla. Vivo en Aguadilla y pertenezco a la Ley 447.

Primeramente deseo felicitarla por todos sus logros y éxitos. Sé no abrá sido fácil y más retante por ser mujer.

Sé debe de ser una persona justa. Pienso además que con frecuencia le pedirá a Dios la ilumine y le de sabiduría para ser justa en sus decisiones.

Muy respetuosamente le solicito, sea justa una vez más y le de paso a la Ley 80 /Ley 447 y cualquier otra Ley considere a bien. Habemos muchas personas mayores adultos que ya necesitamos retirarnos lo antes posible. Vivimos "contra el reloj."

Gracias, gracias anticipadas por su sentido de justicia y empatía,

Maritza Lausell Rodríguez  
[REDACTED]

Sent from my Sprint Samsung Galaxy Phone.

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## SwainDPRCorresp NYSD

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**From:** Jose A. Colon [REDACTED]  
**Sent:** Saturday, December 04, 2021 8:26 AM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80 ,ley 81

### **CAUTION - EXTERNAL:**

Honorable Juez Taylor Swain:

Me dirijo a usted por este medio,en relacion a las leyes 80 y 81.Ambas leyes estan relacionadas a empleados del gobierno de PR que por mas de 30 años han trabajado y cotizado para los sistemas de retiro y distintas leyes legisladas por los distintos gobiernos en el poder. De mi parte y de los mas de 10,000 empleados publicos entre los que habemos,policias,paramedicos,guardias penales y first responders con sobre 30 años de servicio,le pedimos encarecidamente, que le de paso a estas leyes.La gran mayoria de estos sobrepasamos los 50 años de edad muchos con padecimientos cronicos como diabetes y sus consecuencias condiciones cardiacas visuales, fisicas etc.Se nos hace dificil entender,por que,la Junta de Supervision Fiscal,objeta la aprobacion de las mismas, ya que se ha facilitado la fuente de repago que solicitaron e inclusive se sobrentiende, los ahorros de la misma en reduccion de nomina,bono de navidad y beneficios marginales, que no seran pagados a partir del retiro de estos empleados entre los cuales me encuentro (Paramedico),son millonarios. Evidentemente es una ley autosustentable ,a partir del retiro y se le ha facilitado la evidencia en numeros de los ahorros a la Junta de Suoervision Fiscal. Le rogamos, tome este dato en cuenta, nuestra salud y vida.La gran mayoria de nosotros sentimos que nuestras vidas dependen de esta decision que en sus manos està.Gracias anticipadas.

Att. Jose A. Colon [REDACTED]

Sent via the Samsung Galaxy A71 5G, an AT&T 5G smartphone

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## SwainDPRCorresp NYSD

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**From:** Juan Rivera [REDACTED]  
**Sent:** Saturday, December 04, 2021 9:57 PM  
**To:** NYSD Swain Corresp  
**Subject:** Fwd: Retiro Ley 80 y 81

**CAUTION - EXTERNAL:**

----- Forwarded message -----

De: Juan Rivera [REDACTED]  
Date: dom., 28 de noviembre de 2021 3:06 p. m.  
Subject: Retiro Ley 80 y 81  
To: <[SwainNYSDCorresp@nysd.uscourts.gov](mailto:SwainNYSDCorresp@nysd.uscourts.gov)>

Hon. Juez soy empleado publico desde 1987 cuando tenia 20 años de edad, ahora tengo 33 años de servicio y 54 años de edad, trabajo en el Departamento de Educacion, pertenesco al Cuerpo de Seguridad Escolar, por lo que mi trabajo es la mayoria de las horas de pie y caminando dando rondas, ya las fuerzas no son las mismas y ya sufro de dolores en las piernas y mi cintura, ya me cuesta hasta ponerme de pie en las mañanas, ya lo hago por mi dedicacion a mi trabajo aunque el cuerpo algunas veces no me responda, esta ley 80 es mi esperanza para ya retirarme a descansar y dedicar mi tiempo a cuidar de mi padre. Gracias

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Judge Laura Taylor Swain  
U.S. District Court Southern District of New York  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Dear Judge Swain:

Neither the Commonwealth of Puerto Rico or the Financial Oversight and Management Board (FOMB) have ever addressed the approximate \$21 billion a year of tax incentives that the Puerto Rico government provides to some of the America's most profitable companies (via their controlled foreign corporations operating on the island) or ultrarich American citizens who have relocated to the island to avoid paying federal income taxes and to take advantage of a local 4% income tax. The Puerto Rico government and the FOMB have maintained for over five years that they are unable to pay their contractual debts or promised pension liabilities while enlarging these incentives. Puerto Rico is effectively "bankrupt at the front door and a tax haven at the back door."

For the historical record I thought it important to submit the Puerto Rico government's latest report of their expenditures on tax incentives for fiscal year 2018 which they provided to the FOMB on an unknown date (see attached). [Page 2 of the report states:](#)

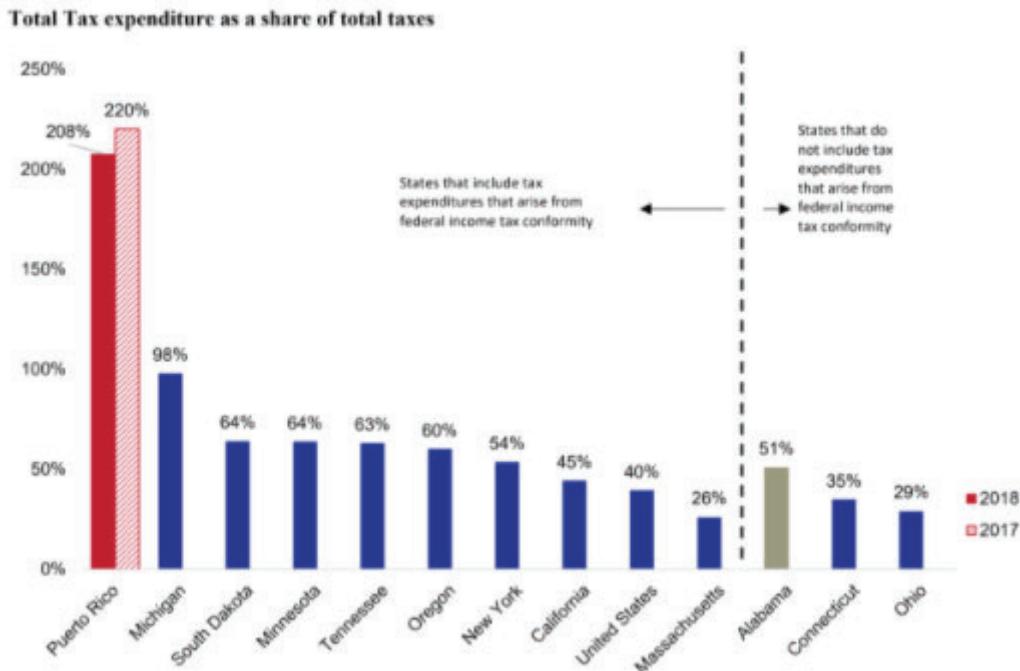
The total magnitude of tax expenditures for 2018 is \$21.4 billion. Two-thirds of these are in the form of preferential tax rates for foreign owned manufacturing companies. While over 100 new tax expenditures for non-corporate businesses were added to the Report, the reported sum of tax expenditures has declined slightly between 2017 and 2018 (by approximately \$900 million).

Page 9 of the report states:

"Puerto Rico's tax expenditures sum to more than two times total tax revenue, by far exceeding double the levels observed in all other states in the analysis (as well as the US federal government)."

This massive expenditure on “tax incentives” as a percentage of tax revenues compared to other states is detailed in Appendix A on page 6.

**APPENDIX A**  
**Puerto Rico Tax Expenditures compared to State, National & International Experiences—**  
(Page A-4)



Puerto Rico's tax expenditures sum to more than two times total tax revenue, by far exceeding double the levels observed in all other states in the analysis (as well as the US federal government).

Accounting firm Kevane Grant Thornton details the substance of these incentives which were enacted into law over decades and consolidated into [Act 60 - 2019 at page 39 of their Puerto Rico tax and incentives guide 2020 report](#). It is important to note this codification occurred during the pendency of the Commonwealth Title III but there was no effect to reduce or eliminate incentives or raise more revenue via the consolidation:

“There are several laws that provide tax incentives to local and foreign qualifying business activities that establish operations in Puerto Rico. On July 1, 2019, the government of Puerto Rico enacted Act No. 60, known as the Puerto Rico Incentives Code, which compiles all current and outstanding tax incentives laws into a single code.”

Congress was aware of overuse of tax incentives when they codified Promesa and in Section 208 (48 USC 2148) they required that the government of Puerto Rico report to the FOMB the tax abatement agreements the government has issued to various parties:

(b) Report on Discretionary Tax Abatement Agreements.--Within six months of the establishment of the Oversight Board, the Governor shall submit a report to the Oversight Board documenting all existing discretionary tax abatement or similar tax relief agreements to which the territorial government, or any territorial instrumentality, is a party, provided that--

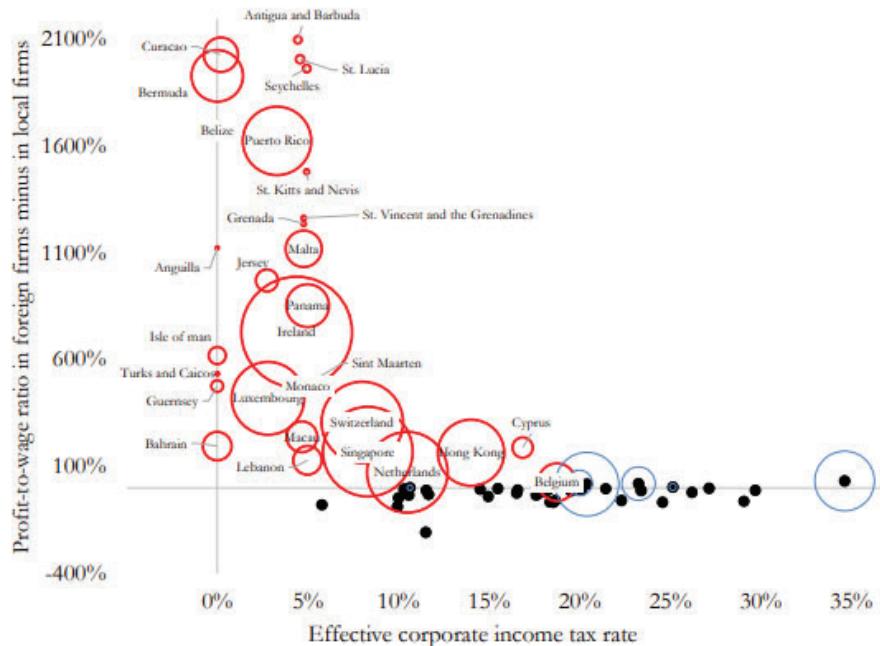
- (1) nothing in this Act shall be interpreted to limit the power of the territorial government or any territorial instrumentality to execute or modify discretionary tax abatement or similar tax relief agreements, or to enforce compliance with the terms and conditions of any discretionary tax abatement or similar tax relief agreement, to which the territorial government or any territorial instrumentality is a party; and
- (2) the members and staff of the Oversight Board shall not disclose the contents of the report described in this subsection, and shall otherwise comply with all applicable territorial and Federal laws and regulations regarding the handling of confidential taxpayer information.

It is not known when the Puerto Rico government submitted their most recent version of the report to the FOMB but the [Board responded on December 2, 2021 and highlighted their concerns about the magnitude of the incentives at page 1](#):

Magnitude of tax expenditures. The aggregate level of expenditures through the tax system in Puerto Rico dwarfs their use in international, national, and comparative US state experiences. Puerto Rico is far too reliant on tax incentives as a tool for incentivizing development and the magnitude of incentives offered through the tax code is introducing heavy distortions and nonuniformity into the tax system and significantly contributes to the development of an unfriendly underlying tax regime.

Puerto Rico is known as a global tax haven which taxes offshore profits at near the lowest rate of any nation as detailed in the work of Gabriel Zucman ([The Missing Profits of Nations, August 2021, page 40](#)). Notably Puerto Rico taxes US multinational profits at an even lower rate than Ireland which is the primary European corporate tax haven.

**Figure 2: Excess Profitability vs. Effective Tax Rates**



Notes: This graph shows the difference between the profits-to-wage ratio of foreign firms ( $\pi_f$ ) and local firm ( $\pi_l$ ), plotted against the effective corporate income tax rate in 2015. The sample includes OECD countries, a number of developing non-OECD countries (Brazil, China, Colombia, Costa Rica, India, Russia, and South Africa), and the countries and territories included in our list of tax havens. Bubble sizes are proportional to the excess of  $\pi_f$  over  $\pi_l$ . In red are the countries and territories included in our list of tax havens. In blue are the countries not included in our list of havens that have  $\pi_f$  larger than

The FOMB asserts they cannot pay promised future pensions to active public employees or contractual bonded debt. Although Puerto Rico has not filed audited financials with the court beyond their fiscal year 2017 Comprehensive Audited Financial Report simple math suggests that a small 10% percent haircut of tax incentives would provide sufficient revenue to provide future support for Puerto Rico's low paid police who face devastating retirements with no pensions (note the FOMB intends to preempt Law 80 of 2020 which would have provided a "Dignified Retirement" for active police) or pay constitutionally guaranteed debt.

Puerto Rico's tax incentives are the elephant in the room and have never been addressed in the bankruptcy. It is important for the record to reflect that in the period of Promesa's Section 405 stay of litigation the Puerto Rico government has provided an estimated \$100 billion of tax incentives to some of America's wealthiest households and most profitable corporations. The concern the court expressed for the everyday island citizens at closing arguments could easily be addressed via changes in tax incentive rates or rejection of incentive contracts which the government entered into. Neither Promesa or the Bankruptcy Code would bar those changes. Unfortunately that opportunity has passed and the majority of the island's citizens will continue to pay high local tax rates while Puerto Rico continues as the world's only bankrupt tax haven.

Very truly yours,

Cate Long

December 5, 2021

## FINANCIAL OVERSIGHT & MANAGEMENT BOARD FOR PUERTO RICO



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### **BY ELECTRONIC MAIL**

December 2, 2021

The Honorable Francisco Parés Alicea  
Secretary of the Treasury

Dear Secretary Parés,

Thank you for your submission of Puerto Rico's Tax Expenditures Report for Tax Year 2018. The publication of the 2018 Tax Expenditure Report (the "Report"), the Government's second entry into tax expenditure reporting and a critical element of fiscal accountability, represents considerable effort, a high level of comprehensiveness (albeit with important omissions), and some significant improvements over the 2017 report. However, for the tax expenditure reporting process to live up to its potential for providing policy insight and guidance for the Commonwealth in its efforts to ensure fiscal sustainability, it must be completed on a timely basis and the review it provides must be integrated into the budget and fiscal planning process.

From the perspective of the Oversight Board, while reflective of progress, the release of this Report also highlights areas of concern. These include:

- **Magnitude of tax expenditures.** The aggregate level of expenditures through the tax system in Puerto Rico dwarfs their use in international, national, and comparative US state experiences. Puerto Rico is far too reliant on tax incentives as a tool for incentivizing development and the magnitude of incentives offered through the tax code is introducing heavy distortions and nonuniformity into the tax system and significantly contributes to the development of an unfriendly underlying tax regime. Tax expenditures need to be rationalized both with regard to their intended purpose and in relation to direct expenditure programs of a similar nature. The tax incentives and direct expenditures programs of the Government of Puerto Rico should be viewed jointly as an economic development tool and analyzed to eliminate nonproductive, inefficient, duplicative, distortionary, and unnecessary tax expenditures. All existing tax expenditures should face a requirement that they be reviewed and re-justified and only those for which a compelling and decisive demonstration of merit should be retained. Review should be continuous.
- **The tax expenditure report is incomplete.** The tax expenditures under Act 154 remain excluded in spite of past assertions that they are accounted for as erosions to the corporate income tax base. Equally important, Commonwealth grants of property tax and municipal license tax incentives are

Mr. Parés Alicea  
December 2, 2021  
Page 2 of 5

also not included. These should be incorporated, reflecting their full value in the form of property tax revenue lost and municipal license tax revenue lost to both the Commonwealth and municipalities. As a result, the costs of Commonwealth initiatives via local tax expenditures, which are substantial, should be accounted for in the Report in order to fully understand the level of revenue committed, making transparent the policy decisions taken with regard to tradeoffs between economic development and municipal revenues.

- **The tax expenditure report is nonactionable.** For the inventory and estimates provided in the Report to be of value, they must be integrated into the planning, budget, and policy making processes. Tax expenditure reports provide information and insight that can valuably assist the government and legislature in identifying resource commitment and policy priorities that can only be of benefit for the budget development and approval process.
- **Timely completion and submission.** The Report was submitted June 1, 2021, covering the 2018 tax year. The age of these estimates and their availability only 30 days before the beginning of the FY 2022 fiscal year significantly limit their utility for budget policy. As an illustration, the State of Georgia's FY2022 tax expenditure report was submitted December 2020, 6 months before the beginning of the fiscal year, providing information 4 ½ years more current than the Puerto Rico Report and in time to be fully integrated into the Georgia State budget Process.

For the Report to achieve its potential for improving policy and resource allocation in Puerto Rico, the above four categories of issues need to be resolved. This will require effort, which the Oversight Board understand can be achieved, since the Department of the Treasury has demonstrated the ability to complete an informative report. Below we review features of the Report in more detail and in relation to the concerns identified above.

### **Magnitude of Tax Expenditures.**

The total magnitude of tax expenditures for 2018 is \$21.4 billion.<sup>1</sup> Two-thirds of these are in the form of preferential tax rates for foreign owned manufacturing companies. While over 100 new tax expenditures for non-corporate businesses were added to the Report, the reported sum of tax expenditures has declined slightly between 2017 and 2018 (by approximately \$900 million). This decline is driven primarily by a \$1.8 billion reduction in the combined incentive costs of Act 135-2014 (Young Entrepreneurs Incentive and Financing Act) and Act 73-2008 (Economic Incentives for the Development of Puerto Rico Act). In 2018, the total for all other categories of tax expenditures showed a net increase, except for a 0.7% decline in traditional excise tax expenditures.

The Report provides insight into Puerto Rico's use of tax expenditures as an economic development tool, identifying 424 tax expenditures, an increase of 122 over 2017. The increase is primarily due to expanding tax expenditure estimates to include those for non-corporate businesses. The Report also reclassified some tax expenditures, such as Act 22-2012, from a corporate income tax base erosion to an individual income tax base exception.

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<sup>1</sup> Note that it is generally ill-advised to sum the value of tax expenditures since each was estimated independently without accounting for interaction effects. The total is used here to provide context for the relative magnitude of tax expenditures. Compared to tax expenditures reported for 2017, the 2018 Report revised those 2017 totals upward to \$22.3 billion (from the initial 2017 report estimate of \$21.2 billion).

Mr. Parés Alicea  
December 2, 2021  
Page 3 of 5

The Report and the comparisons in the appendix of this letter to the scale of tax expenditures internationally, nationally and in the states clearly demonstrate the rather extreme position of Puerto Rico in allowing ad hoc departures from its normative tax structure. It was established that Puerto Rico's tax incentives produce far greater tax base erosion when compared with other jurisdictions. Expressed as a share of GDP (GNP), Puerto Rico's tax expenditures are nearly four times (six times) that observed in Michigan (the jurisdiction with the next largest ratio of tax expenditures to economic output) and are also at least seven times larger than those offered by states with relatively low per-capita incomes such as Alabama, Tennessee, and Mississippi.

In particular, Puerto Rico has (by far) the highest corporate income tax expenditures mainly due to preferential tax rates for foreign corporations, which are not common in US states. Tax expenditures of this magnitude put significant direct pressure on the sustainability of Puerto Rico's underlying tax structure. These wide-spread, ad hoc incentives force the Commonwealth to impose a highly distortionary rate structure (with corporate tax rates as high as 37.5%) on the remaining business base. For prudent fiscal policy, the magnitude of such tax expenditures should be strictly limited, and the tax structure should be reformed to broaden bases and reduce rates across all major tax instruments. Puerto Rico should aim to eliminate any tax expenditures for which unequivocal evidence for their retention cannot be established and then rationing resources directed to those which remain in a manner that produces the highest return to the development objectives of the Commonwealth.

Puerto Rico's tax incentives structure has created a cumbersome, and highly complicated tax system that has failed in supporting sustainable economic growth and development. Puerto Rico must discontinue its dependency on tax incentives as a means to attract investment and should work on structural reforms that focus and strengthen the Island's competitive advantages as an investment destination.

### **The Tax Expenditure Report is Incomplete.**

The Oversight Board commends the Report's authors for attention to several areas of weakness identified in the 2017 report. Including tax expenditures for non-corporate businesses partnerships and special partnerships is a positive step. This scope expansion should be extended to pass-through entities (corporations of individuals) and sole proprietorships when data becomes available.

However, the Report still does not provide an accounting of expenditures arising from the Commonwealth's portion of the property tax or erosions to municipal collections through Commonwealth policy determinations and incentive awards. The amount of these grants can be quite significant and should be included in the tax expenditure report. For example, property tax exemptions and exonerations erode roughly 58% of the total property tax base. It is important for these costs of Commonwealth policy, born predominantly by municipalities, to be acknowledged within the tax expenditure accounting framework.

The Report also does not include tax expenditures under Act 154. Past rationale has been that the Act 154 excise was introduced as a substitute for the "normal" corporate income tax and tax expenditures are accounted for as erosions to the corporate income tax base. Since Act 154 is not considered to be a deviation from the corporate income tax, the expenditure associated with it is not included in the Report. The aggregate level of this excise tax erosion, however, should also be reported.

### **The Tax Expenditure Report is nonactionable.**

For tax expenditures reporting to be relevant and maximize its value, it must be integrated into the planning, budgeting and policy making process. Individual tax expenditure provisions should be considered in

Mr. Parés Alicea  
December 2, 2021  
Page 4 of 5

conjunction with direct spending proposals at the executive and legislative levels. The Report must be available to decisionmakers early enough in the budget development cycle to provide input in resource allocation tradeoffs and to be incorporated into agency policy proposals; it should be systematically incorporated into the annual Fiscal Plan and Budget review processes.

Tax expenditures should be subject to periodic objective review in relation to related direct expenditure programs and their ultimate purpose. Tax expenditures should be required to receive relevant spending agency support as a vehicle for achieving agency objectives. Not having a defined support could be an indication of the lack of utility of a tax expenditure.

To improve the understanding of the public return provided by individual tax expenditures and determine the degree to which they are meeting their policy objective, each tax expenditure should be periodically reviewed within a defined cycle. An annual reporting of review results should be provided, along with the requirement for specific recommendations regarding the advisability of continuing each tax expenditure with the documentation needed to avoid a recommendation of elimination.

To further maximize integration into the policymaking process, the Report should also be forward looking. As specified in the Fiscal Plan, and as reiterated in an October 31, 2018 letter from the Oversight Board to the Secretary of the Department of the Treasury, the Report cannot only be retrospective. Effective tax expenditure reporting includes a forecast of expected revenue collections and losses for several years out from the date the report is produced. For Puerto Rico, an outlook which extends for the period covered by the Fiscal Plan would be of limited value, however, a 5- to 10-year outlook would well serve medium-term planning needs. Presently, covering a period four years in arrears and based on six-year-old data, the Report fails to achieve even a “present looking” attitude, seriously diminishing its value.

### **Timely Completion and Submission.**

For tax expenditure reporting to be effective, it must be timely. The Report is seriously delayed and does not provide the cost of tax expenditures for the current year or estimates for the budget year under consideration. Years old data are not adequate, and the next tax expenditure report submitted by the Department of the Treasury should be based on current year data, include estimates for the budget year being considered, that is, the current budget year, and the previously completed year, as required by the 2018 Certified Fiscal Plan.

The Report appears to be based on tax data from 2016 (or before) to calculate tax expenditures arising from tax incentives on business income taxes. The Report states that “corporate tax returns for both the 2017 and 2018 tax years are still not available” at the time of completion of the Report. Further, that “the estimates of the cost of tax expenditures for corporations appearing in PTER17 that were extrapolated from tax returns from earlier years using national accounts data were left unrevised in this Report. The cost of corporate tax expenditures for 2018 were grown from 2017 using national accounts data.” The data used for these estimates were five years old. Much has happened in Puerto Rico over the previous five years calling into question the overall accuracy of the 2018 estimates for current decisions.

Finally, in accordance with the Certified Fiscal Plan, ultimately the tax expenditure report should be consistently delivered during the month of December of each year. However, the most pressing issue for the Department of the Treasury should be updating the data upon which future tax expenditure reports shall be based to make such tax expenditure reports useful for completing analysis that can be used to inform coming years’ budget decisions.

Mr. Parés Alicea  
December 2, 2021  
Page 5 of 5

By addressing and resolving these deficiencies the Government will ultimately use the updated tax expenditures report to inform the annual Fiscal Plan and budgeting process. Rationalizing the amount of tax expenditures offered by the Government is smart and prudent fiscal management and is critical to effectively rationing limited government resources and ensuring that expenditures contribute to desired policy objectives, economic growth, and opportunity, while maintaining fiscal responsibility and sustainability, and a fair and efficient tax system. This can only be done in a comprehensive way through the production of an accurate annual tax expenditure report on a timely basis.

Sincerely,



Natalie A. Jaresko

CC: The Honorable Governor Pedro Pierluisi

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences—

(Page A-1)

#### **Appendix: Tax Expenditures in Puerto Rico Relative to Other Jurisdictions**

The report identifies 424 tax expenditures for 2018 with aggregate cost of \$21.4 billion.

Although certain types of tax expenditures are not included in the Tax Expenditure Report, such as accelerated depreciation, tax benefits for pass-through businesses, and property tax incentives, among the tax expenditures reported, the expenditures appear to be concentrated in incentives offered to manufacturing companies operating in Puerto Rico.

#### **Tax Expenditures by Count**

|                        | Credits    | Deductions | Exclusions | Exemptions | Preferential Rate | Deferrals | Total      |
|------------------------|------------|------------|------------|------------|-------------------|-----------|------------|
| Individual             | 28         | 10         | 8          | 47         | 14                | 1         | 108        |
| <b>Business</b>        | <b>98</b>  | <b>18</b>  | <b>14</b>  | <b>75</b>  | <b>40</b>         | <b>15</b> | <b>260</b> |
| Regular Corporations   | 25         | 4          | 3          | 38         | 5                 | 7         | 82         |
| Incentive Acts         | 37         | 5          | -          | -          | 20                | 1         | 63         |
| Non Corporate Business | 36         | 9          | 11         | 37         | 15                | 7         | 115        |
| SUT                    | -          | -          | 4          | 23         | -                 | -         | 27         |
| Excise                 | 1          | -          | 16         | 12         | -                 | -         | 29         |
| <b>Total</b>           | <b>127</b> | <b>28</b>  | <b>42</b>  | <b>157</b> | <b>54</b>         | <b>16</b> | <b>424</b> |

#### **Tax Expenditures by Dollar Amount (\$ in millions)**

|                        | Credits        | Deductions     | Exclusions       | Exemptions       | Preferential Rate | Deferrals      | Total             |
|------------------------|----------------|----------------|------------------|------------------|-------------------|----------------|-------------------|
| Individual             | \$157.4        | \$346.9        | \$211.0          | \$1,093.6        | \$622.2           | \$0.0          | \$2,431.1         |
| <b>Business</b>        | <b>\$159.7</b> | <b>\$22.7</b>  | <b>\$78.7</b>    | <b>\$182.2</b>   | <b>\$14,184.3</b> | <b>\$128.9</b> | <b>\$14,756.5</b> |
| Regular Corporations   | \$65.3         | \$8.8          | \$6.5            | \$90.3           | \$31.8            | \$97.5         | \$300.2           |
| Incentive Acts         | \$65.7         | \$6.2          | \$0.0            | \$0.0            | \$14,036.3        | \$2.2          | \$14,110.4        |
| Non Corporate Business | \$28.7         | \$7.7          | \$72.2           | \$91.9           | \$116.2           | \$29.2         | \$345.9           |
| SUT                    | -              | -              | 485.8            | 3,302.5          | -                 | -              | \$3,788.3         |
| Excise                 | \$14.4         | \$0.0          | \$419.5          | \$12.1           | \$0.0             | \$0.0          | \$446.0           |
| <b>Total</b>           | <b>\$331.5</b> | <b>\$369.6</b> | <b>\$1,195.0</b> | <b>\$4,590.4</b> | <b>\$14,495.8</b> | <b>\$128.9</b> | <b>\$21,421.9</b> |

#### **Change in Count of Tax Expenditures from 2017 to 2018 Report**

|                        | Credits   | Deductions | Exclusions | Exemptions | Preferential Rate | Deferrals | Total      |
|------------------------|-----------|------------|------------|------------|-------------------|-----------|------------|
| Individual             | -         | -          | -          | -          | 3                 | 1         | 4          |
| <b>Business</b>        | <b>36</b> | <b>9</b>   | <b>11</b>  | <b>40</b>  | <b>13</b>         | <b>9</b>  | <b>118</b> |
| Regular Corporations   | 1         | -          | -          | 3          | -                 | 1         | 5          |
| Incentive Acts         | -1        | -          | -          | -          | -2                | 1         | -2         |
| Non Corporate Business | 36        | 9          | 11         | 37         | 15                | 7         | 115        |
| SUT                    | -         | -          | -          | -          | -                 | -         | -          |
| Excise                 | -         | -          | -          | -          | -                 | -         | -          |
| <b>Total</b>           | <b>36</b> | <b>9</b>   | <b>11</b>  | <b>40</b>  | <b>16</b>         | <b>10</b> | <b>122</b> |

Note: This table presents the change in the count of tax expenditures in the 2021 report relative to the 2019 report. A negative value represents a decline in the number of expenditures estimated in 2021 relative to 2019.

#### **Change in Value of Tax Expenditures from 2017 to 2018, as presented in 2018 report (\$ in millions)**

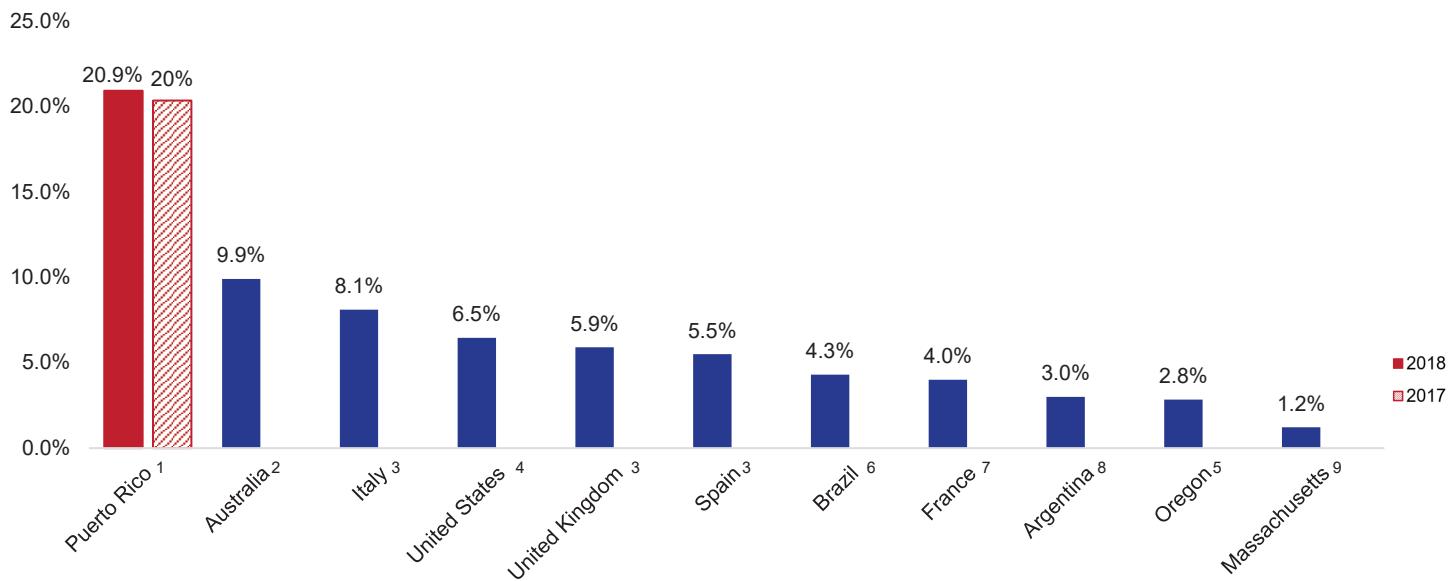
|                        | Credits        | Deductions    | Exclusions     | Exemptions     | Preferential Rate | Deferrals    | Total             |
|------------------------|----------------|---------------|----------------|----------------|-------------------|--------------|-------------------|
| Individual             | \$61.8         | \$2.3         | \$23.2         | \$83.9         | \$142.9           | \$0.0        | \$314.1           |
| <b>Business</b>        | <b>\$17.8</b>  | <b>\$9.4</b>  | <b>\$73.3</b>  | <b>\$110.3</b> | <b>-\$1,647.9</b> | <b>\$8.0</b> | <b>-\$1,429.1</b> |
| Regular Corporations   | \$10.3         | \$2.3         | \$1.1          | \$18.4         | \$5.5             | \$5.2        | \$42.8            |
| Incentive Acts         | <b>-\$21.2</b> | <b>-\$0.6</b> | <b>\$0.0</b>   | <b>\$0.0</b>   | <b>-\$1,769.6</b> | <b>\$1.2</b> | <b>-\$1,790.2</b> |
| Non Corporate Business | \$28.7         | \$7.7         | \$72.2         | \$91.9         | \$116.2           | \$1.6        | \$318.3           |
| SUT                    | \$0.0          | \$0.0         | \$34.6         | \$161.4        | \$0.0             | \$0.0        | \$196.0           |
| Excise                 | \$6.8          | \$0.0         | <b>-\$8.9</b>  | <b>-\$1.1</b>  | \$0.0             | \$0.0        | -\$3.2            |
|                        | <b>\$86.4</b>  | <b>\$11.7</b> | <b>\$122.2</b> | <b>\$354.5</b> | <b>-\$1,505.0</b> | <b>\$8.0</b> | <b>-\$922.2</b>   |

Note: A negative value (highlighted in pink) represents a decline in the cost in 2018 relative to the cost in 2017.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences- (Page A-2)

#### Total tax expenditure as a percentage of GDP for FY2018\*



\* 2018 for Massachusetts and Oregon; 2020 for the United States

Puerto Rico's tax expenditures are larger than those of other countries or jurisdictions in this sample. Expressed as a share of GDP, Puerto Rico's tax expenditures are double that observed in Australia (the jurisdiction with the second largest ratio of tax expenditures to GDP) and more than 3 times that of the U.S.

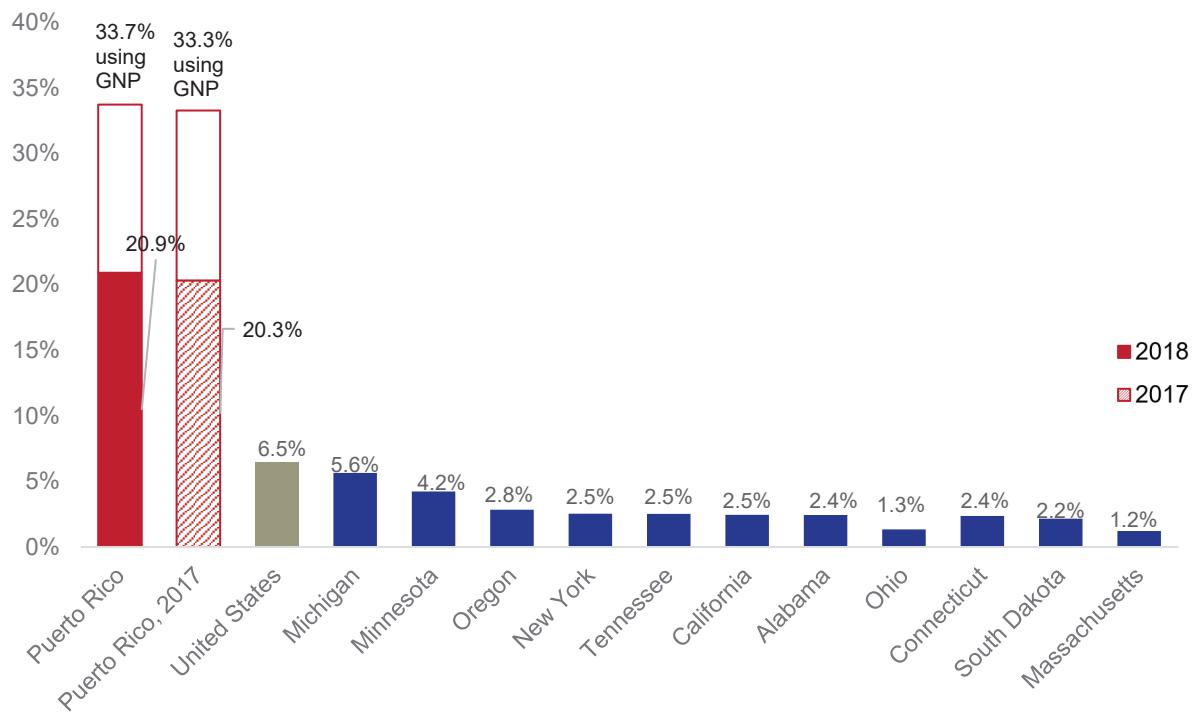
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## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-3)

#### Total estimated tax expenditure as a share of Gross State Product



Puerto Rico's tax expenditures are larger than those of any of the sample states and the US federal government. Expressed as a share of GDP/GSP, Puerto Rico's tax expenditures are nearly four times that observed in Michigan (the jurisdiction with the next largest ratio of tax expenditures to GDP/GSP). As a share of GNP, Puerto Rico's tax expenditures are nearly six times that observed in Michigan. Puerto Rico's tax expenditures are also much larger than those offered by poorer states like Alabama, Tennessee, and Mississippi\*\* (total TE as share of GSP of 3%).

**Note:** Gross States Product (GSP) data is gathered from the Bureau of Economic Analysis (BEA). We also calculate, for Puerto Rico, total tax expenditures as a share of Gross National Product (GNP) to be 33.7%. GNP includes net income from foreigners, GDP does not.

Alabama, Connecticut and Ohio do not include tax expenditures that arise from federal income tax, further no state produces an entirely comprehensive set of tax expenditure estimates. As a result, some of the variance between states is due to differences in levels of this comprehensiveness

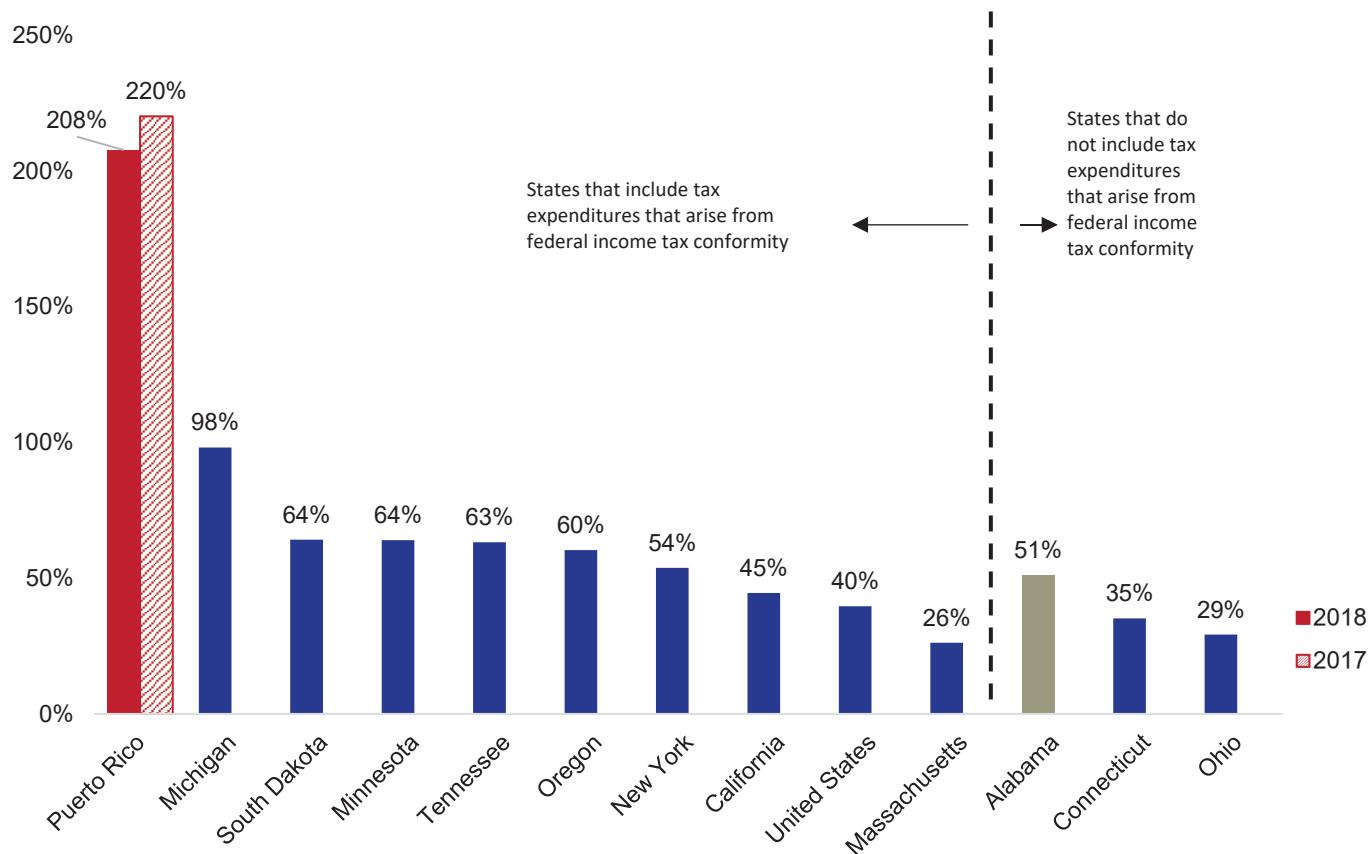
\*Tax expenditure estimates for the US are for 2020 and reflect TCJA changes in tax policy. US tax total is not reduced for the cost of the refundable portion of tax credits, including the EITC

\*\*Not included in table.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-4)

#### Total Tax expenditure as a share of total taxes



Puerto Rico's tax expenditures sum to more than two times total tax revenue, by far exceeding double the levels observed in all other states in the analysis (as well as the US federal government).

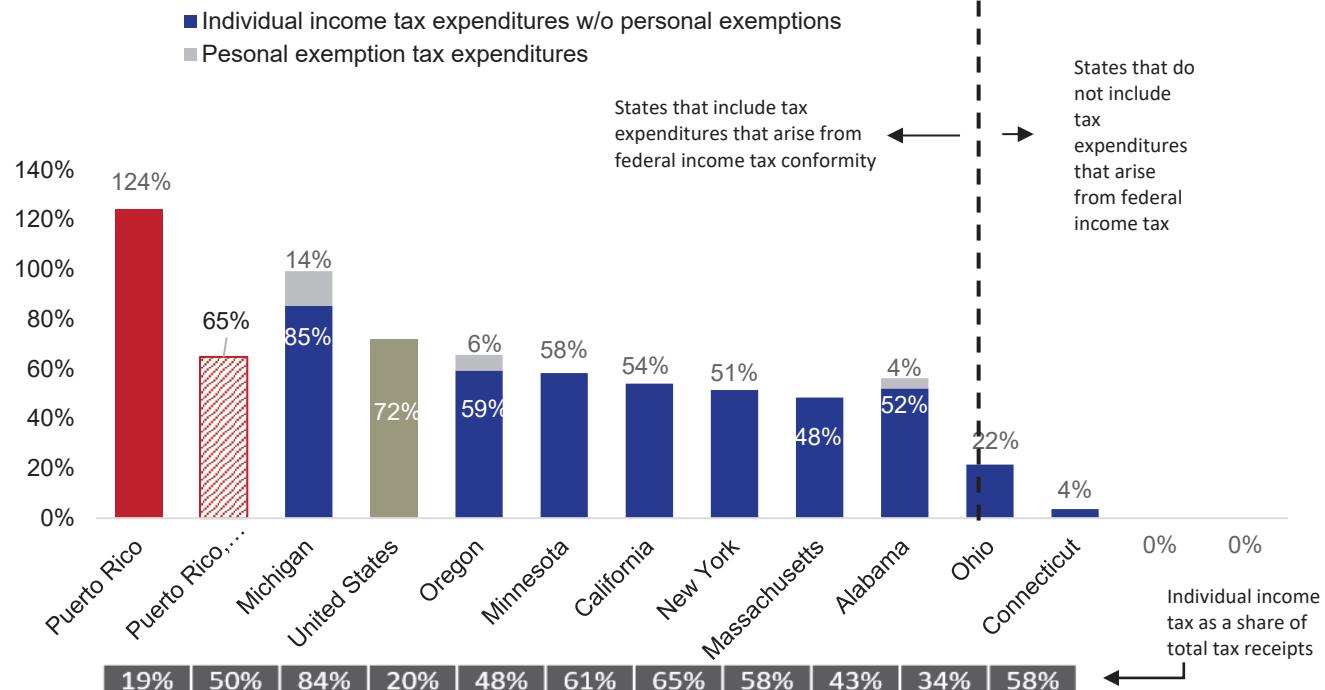
**Note:** Total tax expenditure includes tax expenditures associated with total individual income tax, corporate income tax, SUT, and excise tax as well as other taxes included in state tax expenditure reports (excluding property tax). Similarly, total taxes include all taxes other than property tax.

Alabama, Connecticut and Ohio, do not include tax expenditures that arise from federal income tax, further no state produces an entirely comprehensive set of tax expenditure estimates. As a result, some of the variance between states is due to differences in levels of this comprehensiveness.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-5)

#### Individual income tax expenditures as a share of individual income



For 2018, Puerto Rico's individual income tax expenditure are larger relative to revenue than for the US federal tax system or the sample of states. In FY 2017, Puerto Rico was comparable to the other jurisdictions. The increase for 2018 is predominantly due to the inclusion of tax expenditures that accrue to some pass-through entities, expenditures on income from outside of Puerto Rico, preferential rates on personal income tax from Incentive Acts exemptions for dividends, and the reclassification of Act 22.

The largest increases from 2017 to 2018 included film credits (419% increase relative to 2017), income from sources outside of Puerto Rico (75% increase), and preferential rates for physicians (40% increase).

States that consider personal exemptions a tax expenditure have higher individual income tax expenditures than do other states. Under prevailing conventions, personal exemptions are generally considered a component of the normative tax system and are not considered a tax expenditure.

**Note:** To the extent possible, this analysis measures individual income tax expenditures and revenue by combining personal taxes with taxes from non-corporate business such as S Corp., LLC, Partnerships, and Sole Proprietorships. However, states vary significantly in how they classify income accruing to various forms of business organization.

Tennessee's income tax is only applied to interest and dividends and South Dakota has no income tax therefore these two states are not included in this figure. Alabama, Connecticut and Ohio, do not include tax expenditures that arise from federal income tax, further no state produces an entirely comprehensive set of tax expenditure estimates. As a result, some of the variance between states is due to differences in levels of this comprehensiveness.

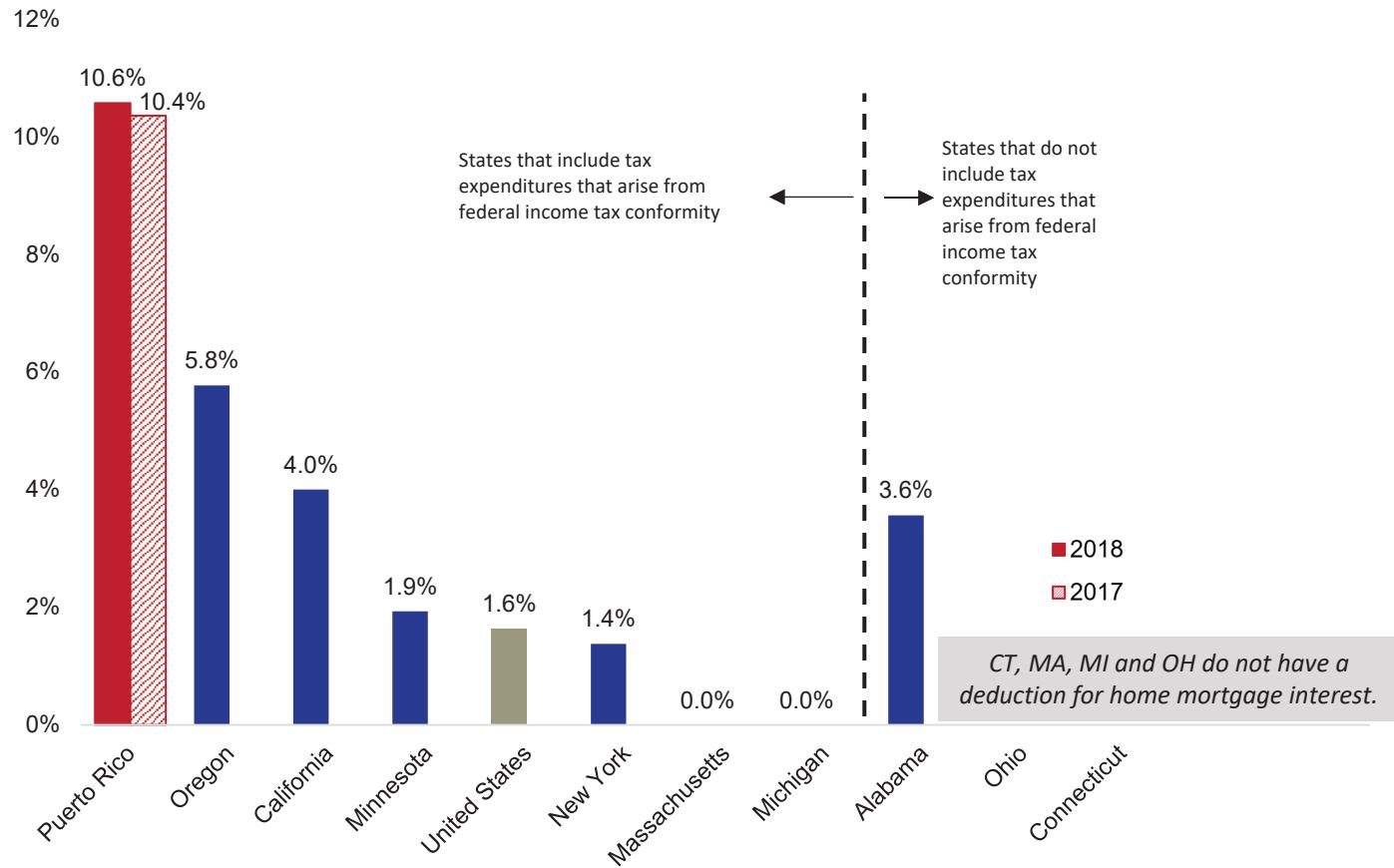
The base of the individual income tax is generally defined as the net income above what is required for subsistence, and since personal exemptions help define the level of income required for subsistence (i.e. the base) they should not be classified as a tax expenditure. Nonetheless, some states (Alabama, Michigan, and Oregon, in above chart) choose to include these exemptions as tax expenditures.

\*Connecticut estimates are low for several reasons: They do not have many deductions/exclusions/credits; they include add backs from the AGI and do not consider federal exemptions.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-6)

#### Home mortgage interest deduction as a share of individual income tax



Puerto Rico has the largest tax expenditures for the home mortgage interest deduction relative to income tax revenue.

It is unclear why this is the case. One potential reason is that some states have a cap on the amount that may be deducted. Another potential reason is the relatively low household income in Puerto Rico and higher marginal tax rate which would result in result in a larger relative tax effect for a given deduction.

Not all states allow this deduction.

**Note:** Home mortgage interest deduction refers to the deductibility of the interest paid by owners/occupants on mortgages on primary or secondary homes, deductibility varies across states. Connecticut, Michigan, and Ohio do not have a deduction for home mortgage interest.

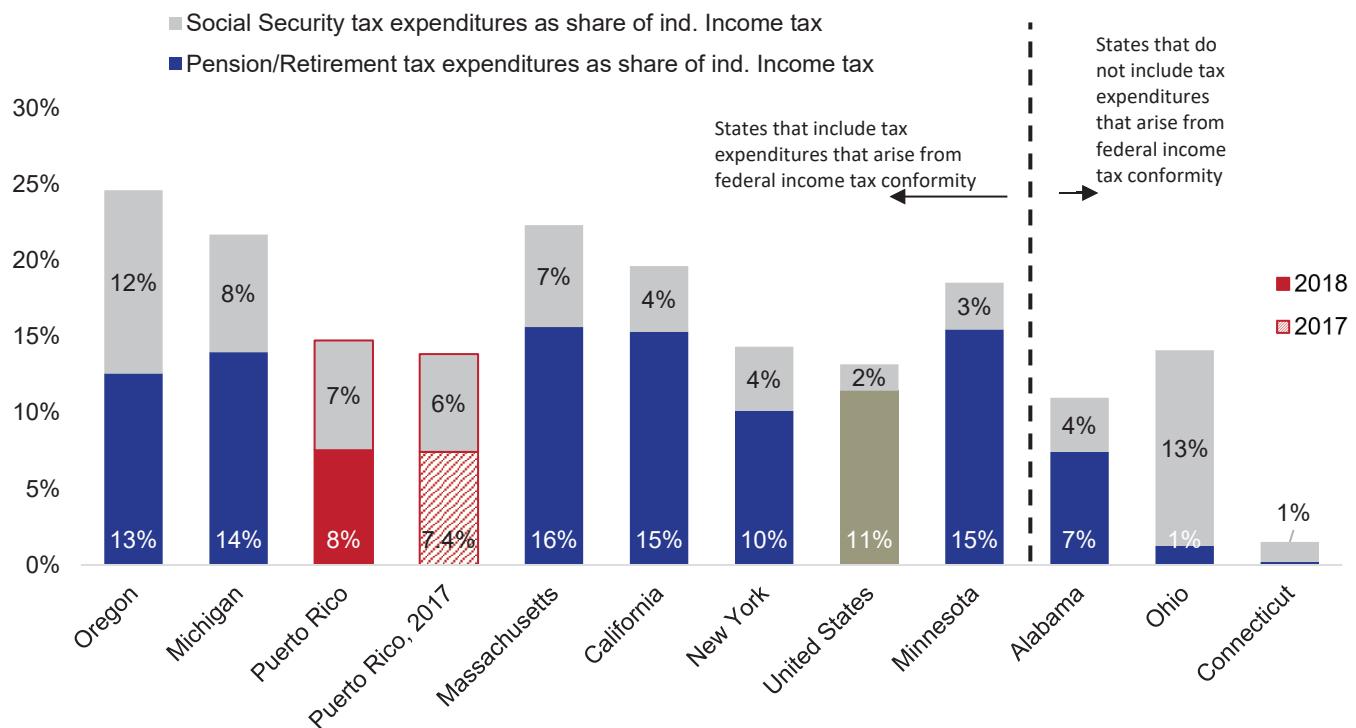
Tennessee's income tax is only applied to interest and dividends and South Dakota has no income tax therefore these two states are not included in this figure.

Alabama, Connecticut and Ohio, do not include tax expenditures that arise from federal income tax, further no state produces an entirely comprehensive set of tax expenditure estimates. As a result, some of the variance between states is due to differences in levels of this comprehensiveness.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences- (Page A-7)

#### Pension/retirement tax expenditures as a share of individual income taxes



Puerto Rico's pension and retirement tax expenditures are equal to or smaller than those in half the of jurisdictions in the sample.

**Note:** Pension/retirement tax expenditures include various types of tax incentives related to contributing to and withdrawing from retirement savings including pensions, IRA, cafeteria plans, social security, and others.

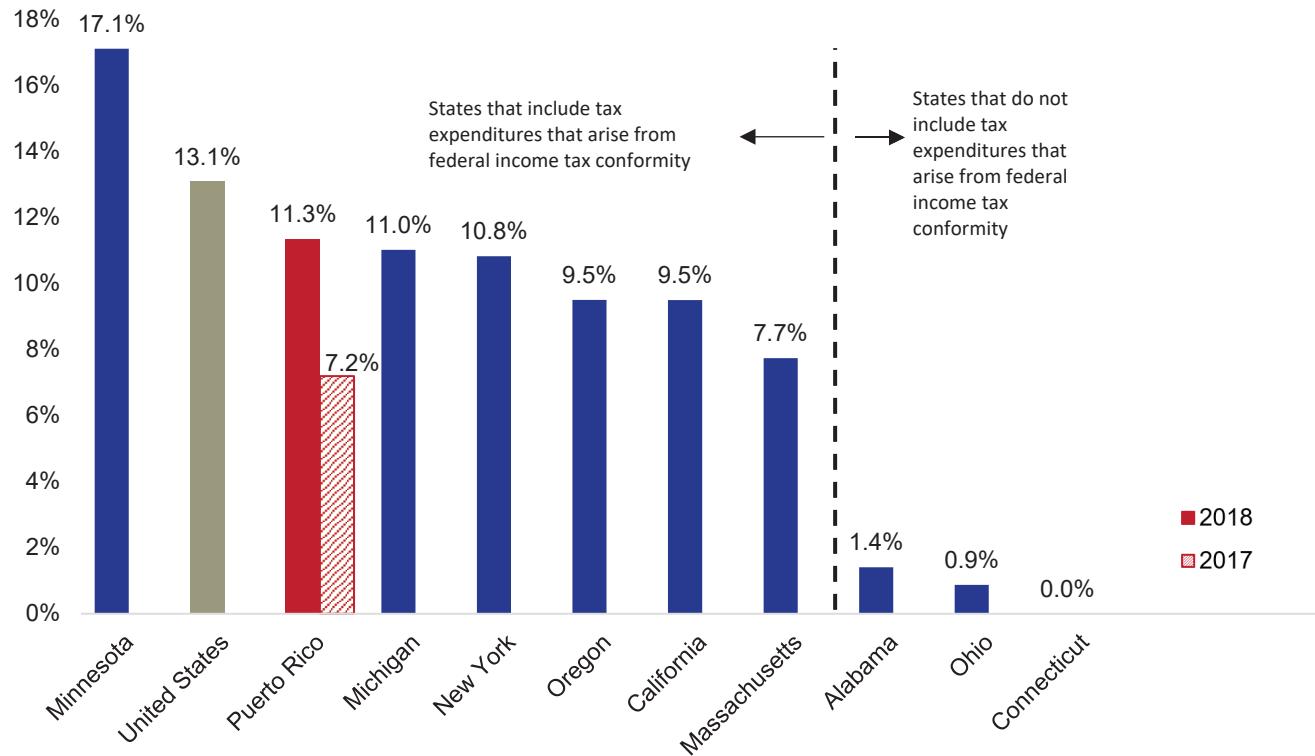
Tennessee's income tax is only applied to interest and dividends and South Dakota has no income tax therefore these two states are not included in this figure.

Alabama, Connecticut and Ohio, do not include tax expenditures that arise from federal income tax, further no state produces an entirely comprehensive set of tax expenditure estimates. As a result, some of the variance between states is due to differences in levels of this comprehensiveness.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-8)

#### Health insurance & medical expense tax expenditures as a share of individual income taxes



Puerto Rico's health related income tax expenditures are greater than all but the US and one state, likely because the deduction is a function of Puerto Rico's higher marginal tax rate.

It is unclear why these tax expenditures for 2018 are higher than the value in 2017 in Puerto Rico, though the 2018 report notes that updated data was incorporated into the estimate.

**Note:** Health insurance and medical expenses include various types of tax incentives including exclusions of employer/self-employed contributions to medical insurance and deductions of medical and dental expenses.

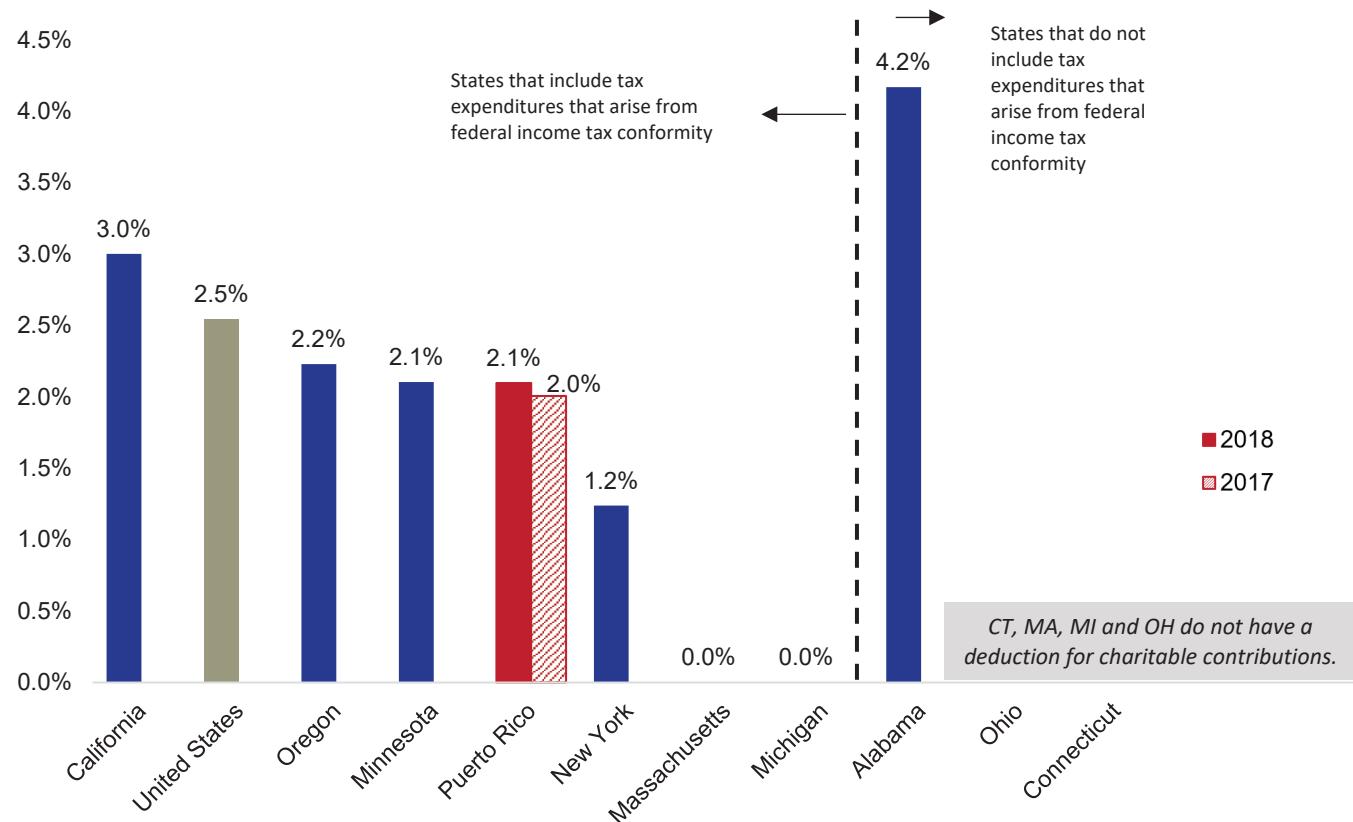
Tennessee's income tax is only applied to interest and dividends and South Dakota has no income tax therefore these two states are not included in this figure.

Alabama, Connecticut and Ohio, do not include tax expenditures that arise from federal income tax, further no state produces an entirely comprehensive set of tax expenditure estimates. As a result, some of the variance between states is due to differences in levels of this comprehensiveness.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-9)

#### Charitable contribution tax expenditures as a share of individual income taxes



Puerto Rico's tax expenditure for charitable contributions is in line with other jurisdictions in the sample.

Not all states allow a deduction for charitable contributions.

**Note:** There is variation in how states define eligible contributions. Michigan eliminated deductions for charitable contributions in 2011-12; Massachusetts, Ohio and Connecticut do not provide a deduction for charitable contributions.

Tennessee's income tax is only applied to interest and dividends and South Dakota has no income tax therefore these two states are not included in this figure.

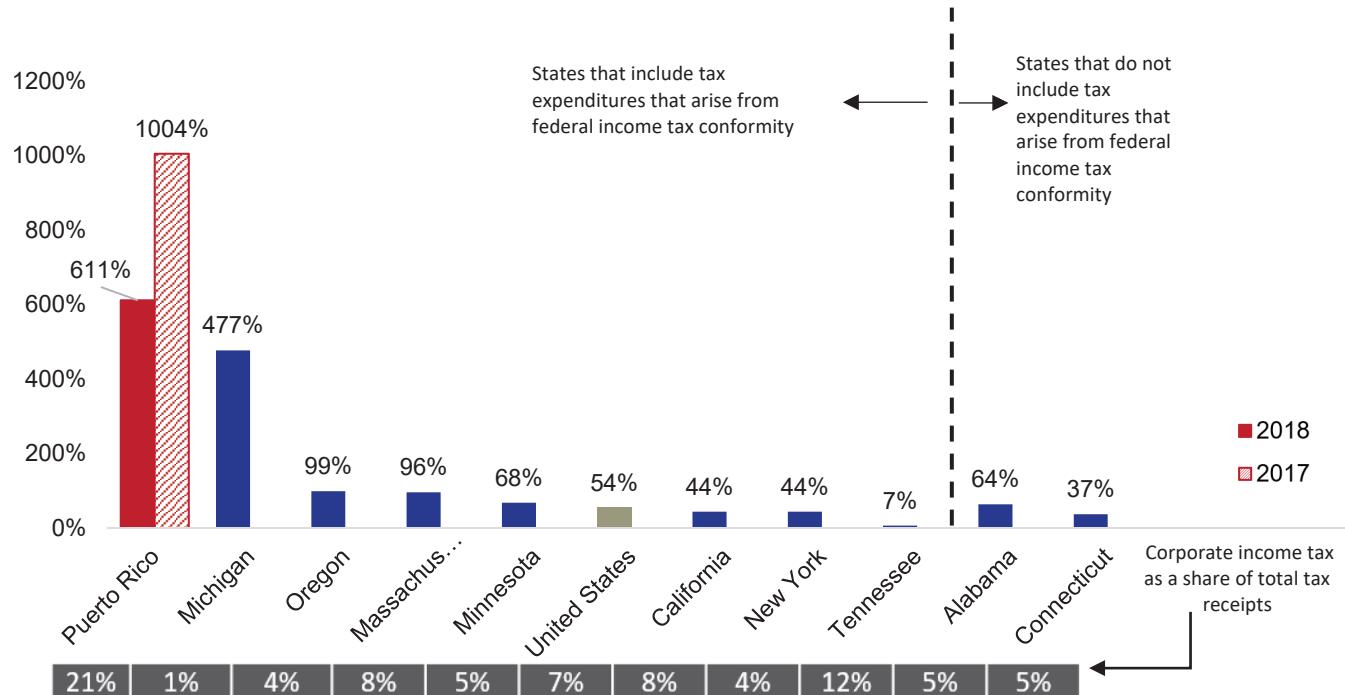
Alabama, Connecticut and Ohio, do not include tax expenditures that arise from federal income tax, further no state produces an entirely comprehensive set of tax expenditure estimates. As a result, some of the variance between states is due to differences in levels of this comprehensiveness.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences–

(Page A-10)

#### Corporate income tax expenditures as a share of corporate income taxes



Puerto Rico by far has the highest corporate income tax expenditures, compared to other jurisdictions in the sample. This is mainly due to the high tax expenditures for preferential tax rates for foreign corporations. However, the outlying status has greatly diminished between 2017 and 2018, almost exclusively due to a \$1.8 billion decline in the combined cost of Act 135-1997 and Act 73-2008 (incentives for economic development).

Puerto Rico has relatively small tax expenditures for other deductions, exclusions/exemptions and credits. This may indicate smaller incentives for local corporations.

**Note:** For this analysis we consider corporate income tax to be any tax levied on the net income of corporate entities. There is variation across states in naming this type of tax, variations include: Corporate Franchise Tax, Tax on Business Activity, and Bank Tax among others.

South Dakota and Ohio do not levy a corporate income tax. However, Ohio does levy a gross receipts tax. Therefore, they are not included in this figure.

\*The Foreign dividends and Income exclusion and the Michigan Economic Growth Authority (MEGA) credit together amount to \$832million in tax expenditures which is equal to 428% of corporate income tax receipts in Michigan (116% and 312% respectively).

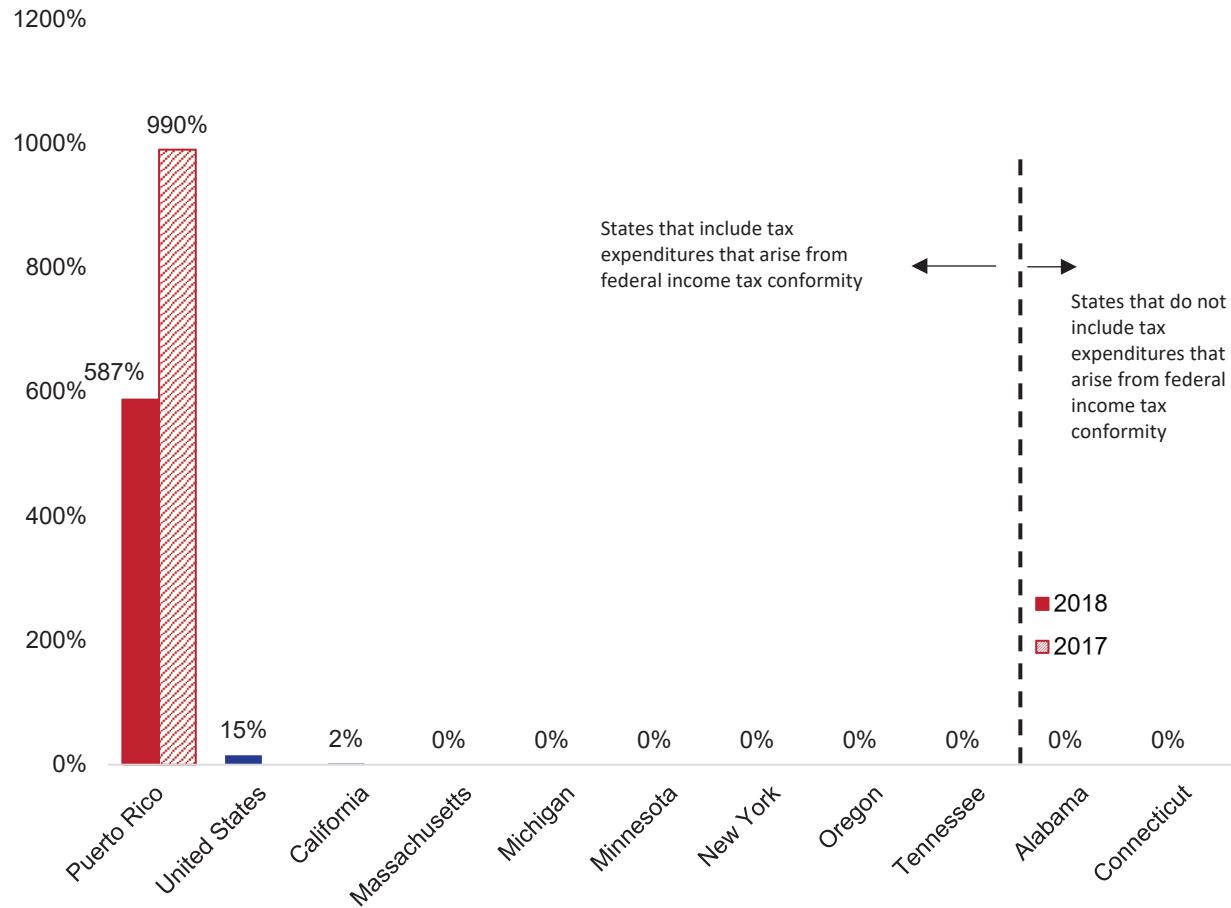
\*\*Tennessee's tax expenditure budget focuses mainly on the sales and use tax, some expenditures related to the Corporate franchise and excise tax are listed, but this is not a comprehensive accounting of all related tax expenditures. Further, Tennessee's tax base itself is less comprehensive and not entirely net income based.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences–

(Page A-11)

#### Preferential tax rates as a share of corporate income taxes



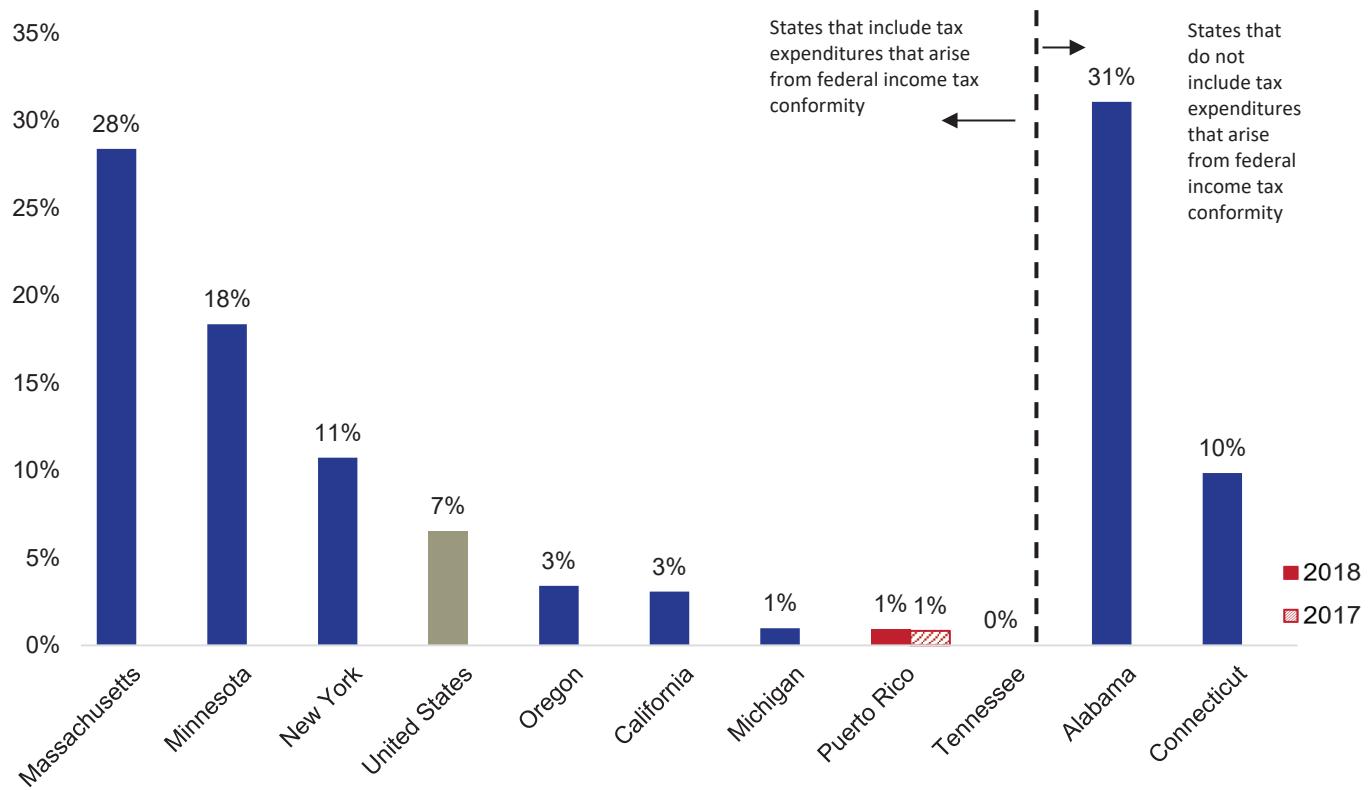
Puerto Rico has very high levels of tax expenditures due to preferential tax rates which mainly benefit foreign owned corporations. Preferential rates are granted via the Incentives Acts. Examples include Act 135-1997, Act 73-2008 and Act 20-2012.

Preferential tax rates are not common in US states. Some preferential tax rates are found in federal tax expenditures and amount to a 15% tax expenditure, the bulk of which are reduced tax rates on active income of controlled foreign corporations (normal tax method). For Puerto Rico preferential rates include incentives from Act 73 - 2008 and Act 20 - 2012 on export services.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-12)

#### Deductions as a share of corporate income taxes



Puerto Rico has one of the lowest levels of tax expenditures for corporate deductions. In part, this may be due to Puerto Rico's exclusion of accelerated depreciation from its set of measured tax expenditures.

**Note:** South Dakota and Ohio do not levy a corporate income tax. However, Ohio does levy a gross receipts tax. Therefore, they are not included in this figure.

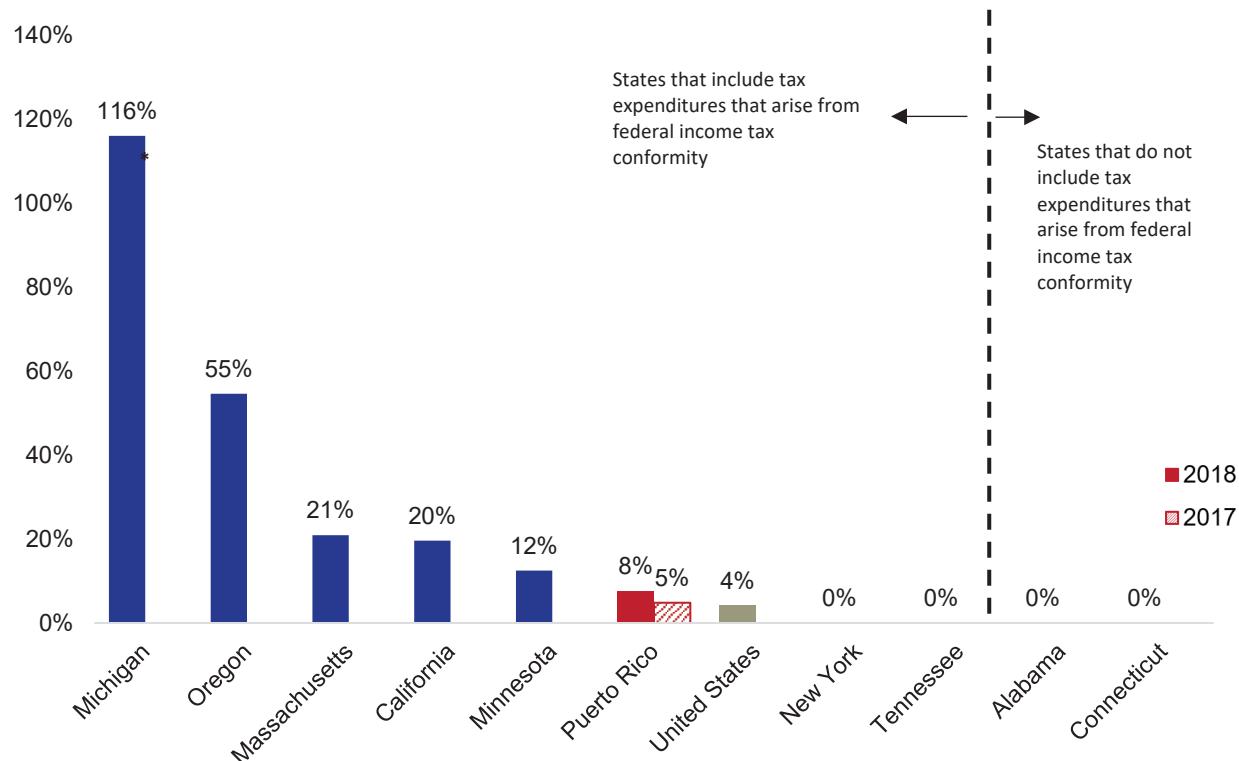
Notable deductions include: Deduction for foreign-derived intangible income from trade or business within the U.S.; deductibility of charitable contributions; expensing of research and development costs; net operating loss carry-forward; deductions related to preferred depreciation schedules and expensing of business property. In Puerto Rico notable deductions include a special deduction for human resources training and improvement and deductibility of charitable contributions.

\*Alabama starts with AGI then deducts federal income taxes paid/accrued within the taxable year, this accounts for a large % of deductions. Excluding this, Alabama's deductions as a share of CIT receipts would amount to 31%.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-13)

#### Exclusions/Exemptions as a share of corporate income taxes



Puerto Rico has one of the lowest levels of tax expenditures for corporate exclusions/exemptions.

**Note:** South Dakota and Ohio do not levy a corporate income tax. However, Ohio does levy a gross receipts tax. Therefore, they are not included in this figure.

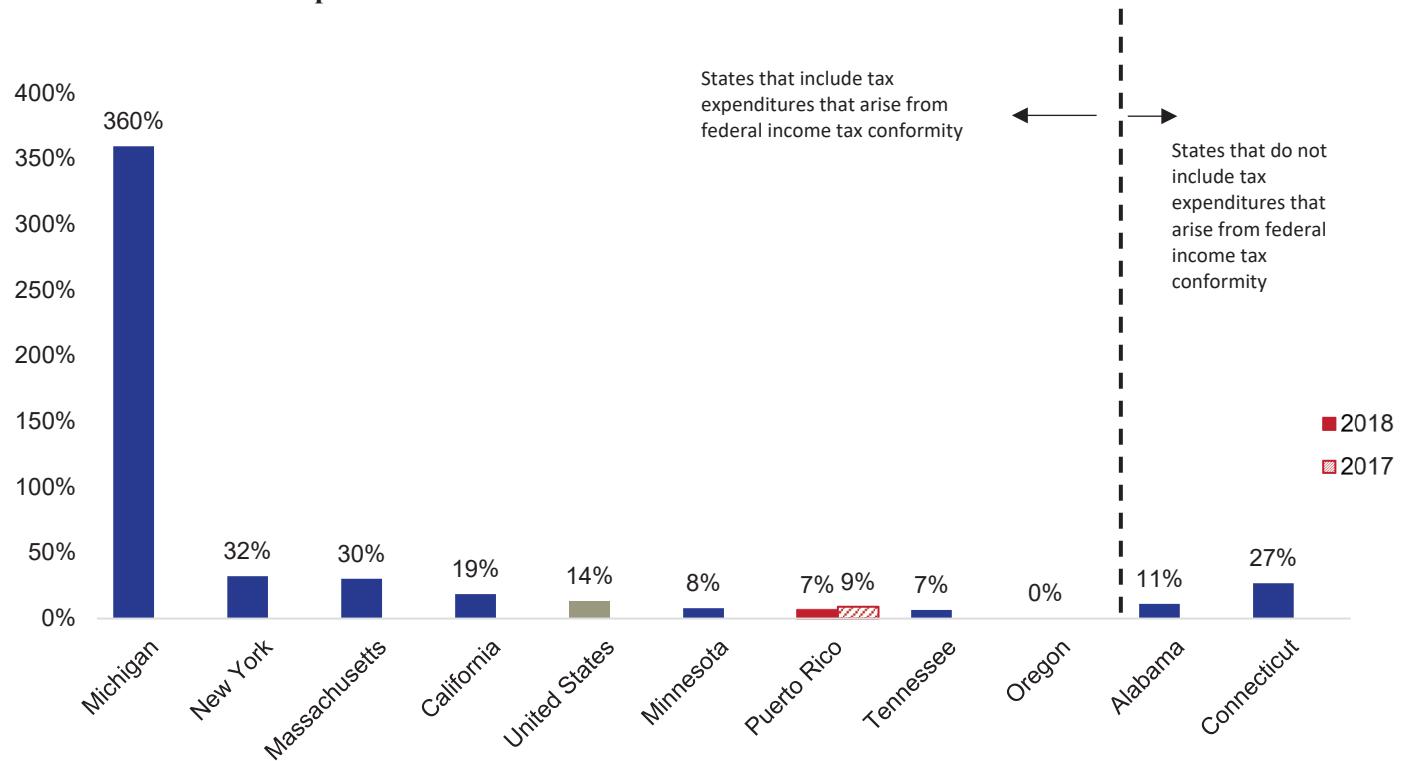
Notable exclusions/exemptions: Exemption of credit union income; exclusion of life insurance death benefits; exclusion of interest on state and local bonds. Puerto Rico notable exemptions/exclusions: Obligations of the United States government, states, territories or political subdivisions, and income derived from discharge of debts.

\*Michigan's high level of exclusions/exemptions is due to the foreign dividends income exclusion (\$225million, 115.6% of CIT).

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-14)

#### Credits as a share of corporate income taxes



Puerto Rico has one of the lowest tax expenditures for corporate tax credits.

**Note:** South Dakota and Ohio do not levy a corporate income tax. However, Ohio does levy a gross receipts tax. Therefore, they are not included in this figure.

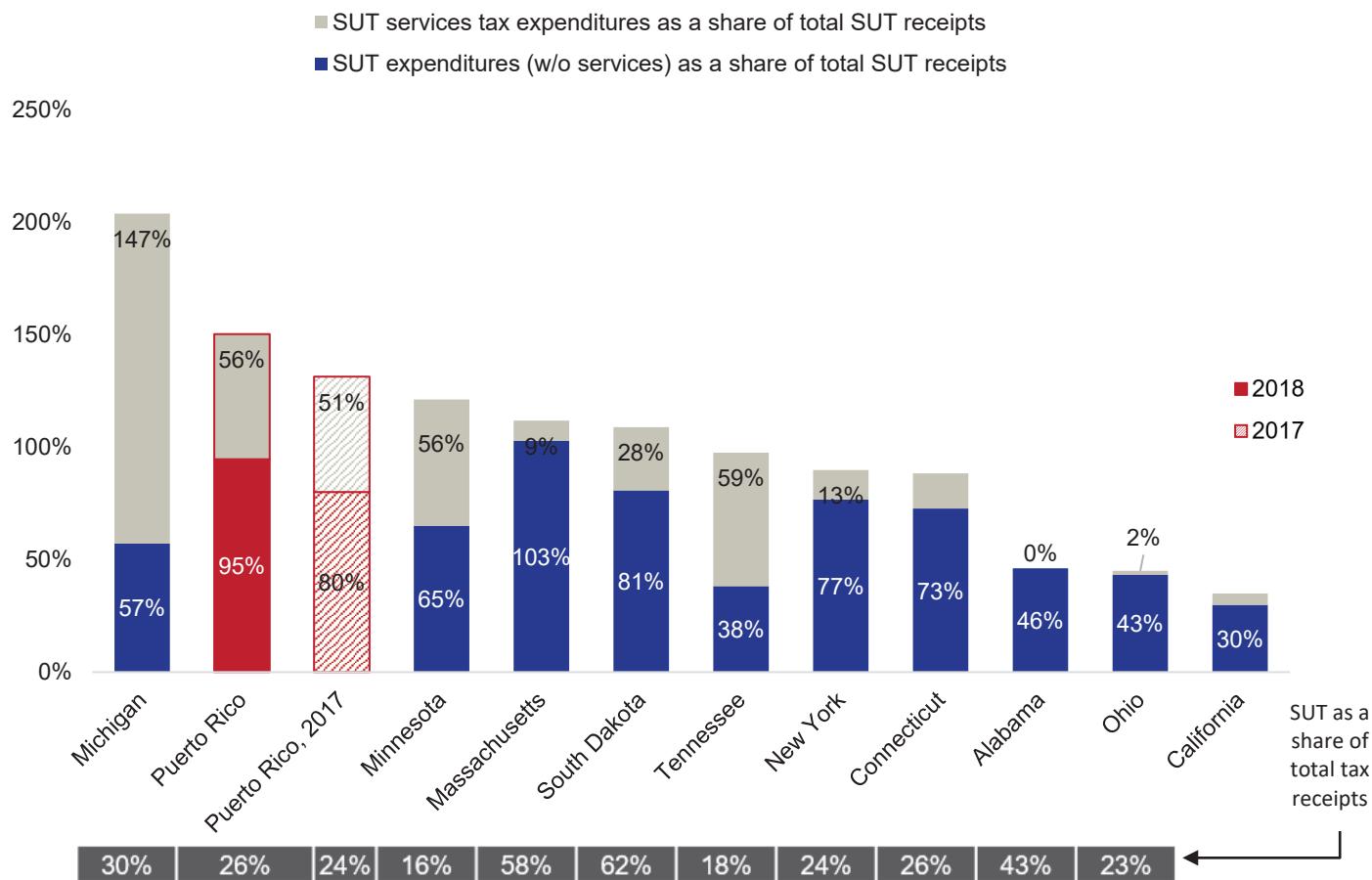
Notable credits include: Credit for research activities; credit for low-income housing investments; investment and employment tax credits; fixed capital credit; and enterprise zone tax credits. In Puerto Rico, notable credits include investment credits as part of Act 73; Investment in film industry credits; and credits for purchases related to tourism development.

\*Michigan's high level of credits is driven by the Michigan Economic Growth Authority (MEGA) credit which alone amounts to 312% of CIT.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-15)

#### Sales and use tax expenditures as a share of SUT



Puerto Rico has a relatively large tax expenditure under its SUT. Much of the reason is that Puerto Rico includes exemptions for services as a tax expenditure, while many other states do not. Relatively high levels of exclusions in Puerto Rico are for food purchases for home consumption, drugs and medical devices, and utilities.

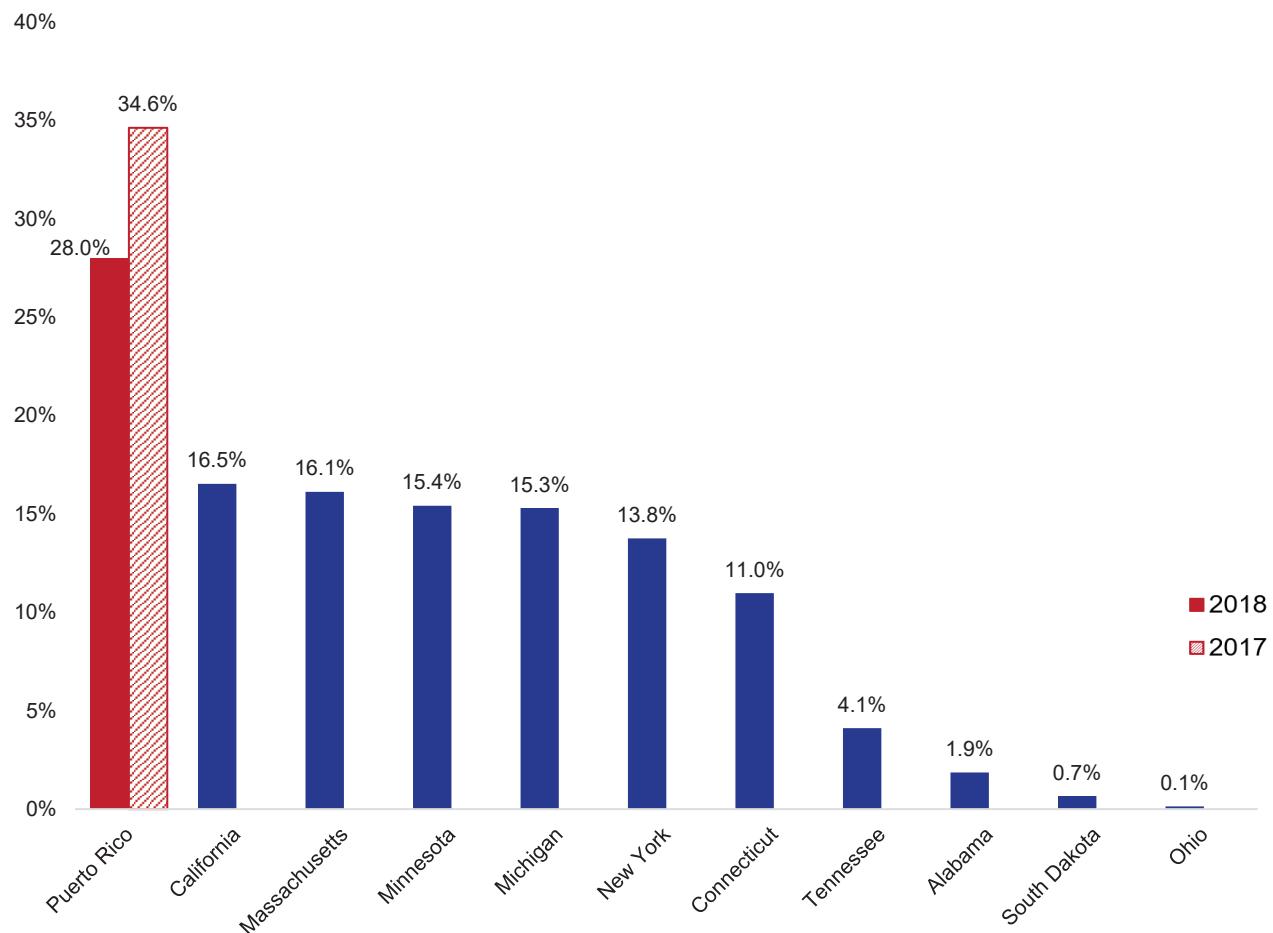
Michigan more comprehensively considers services tax exclusion than do many other states and, as a result, shows the highest level of overall SUT tax expenditures, but lower non services tax expenditures.

**Note:** For this analysis we consider sales and use tax to be a broad-based ad valorem tax (generally levied at a uniform rate) on the sale or use of any product or service with the exclusion of any specific, unit or ad valorem additional taxes levied on specific targeted or classes of products or services such as cigarettes or alcohol which generally fall under the category of excise tax.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences- (Page A-16)

#### Food tax expenditures as a share of sales and use taxes



Puerto Rico's SUT tax expenditures for food are very high (primarily for at home preparation and consumption) compared to other states in the sample. This is potentially due to high food consumption as a share of income in Puerto Rico (roughly 14% of personal consumption in Puerto Rico compared to about 7% for the US as a whole) due to lower average incomes.

Ohio exempts food from the SUT but does not include the revenue foregone from its exemption as a tax expenditure, the 0.1% represents the exemption of food sold to students on school premises.

**Note:** Food tax expenditures include all food sales to the end consumer including sales in vending machines, sales using food stamps, food sold in school cafeterias and others. Most states fully tax prepared foods sold in restaurants.

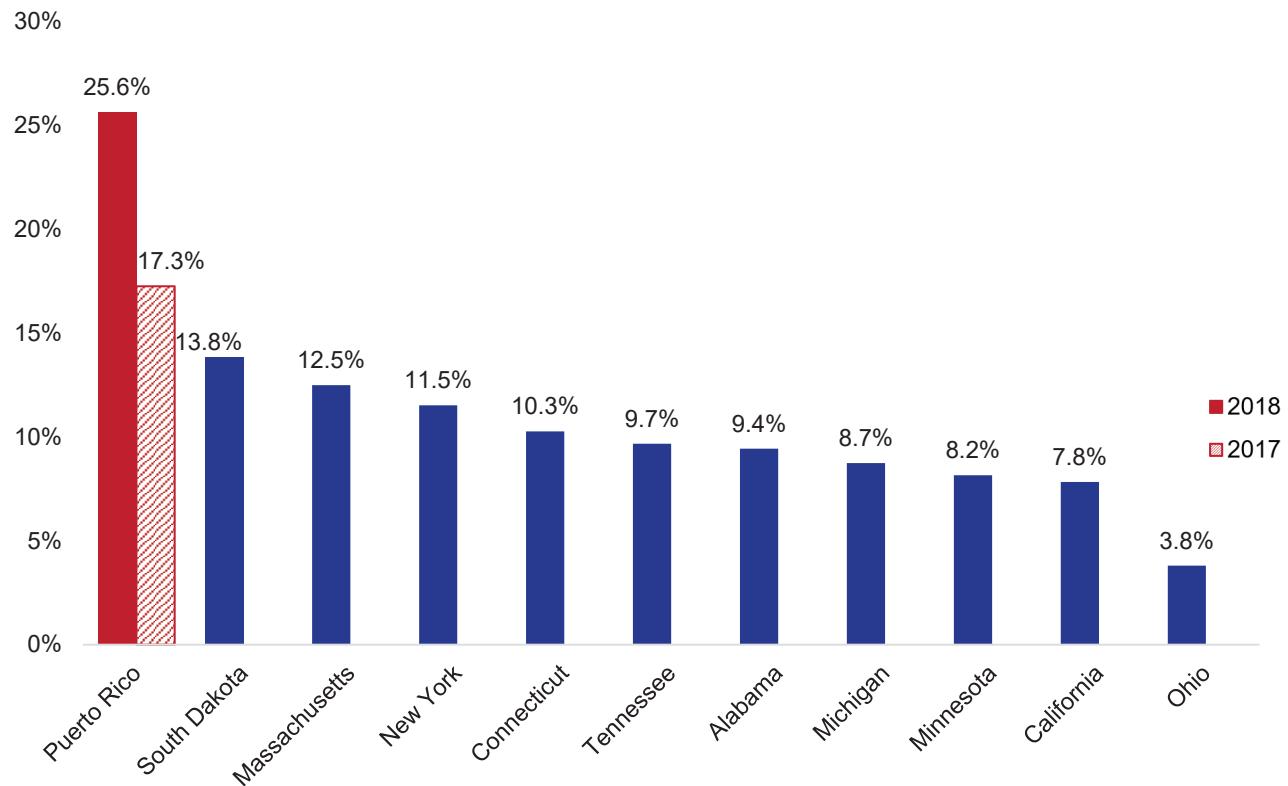
\*Tennessee does not exempt food from the SUT rather it is taxed at a lower (4%) rate

\*\*Alabama and South Dakota do not exempt food from the SUT, estimates in the figure include purchases made with food stamps.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-17)

#### Drugs and personal use medical device tax expenditures as a share of sales and use taxes



Puerto Rico SUT tax expenditures for drugs and medical devices are higher than all other states in the analysis.

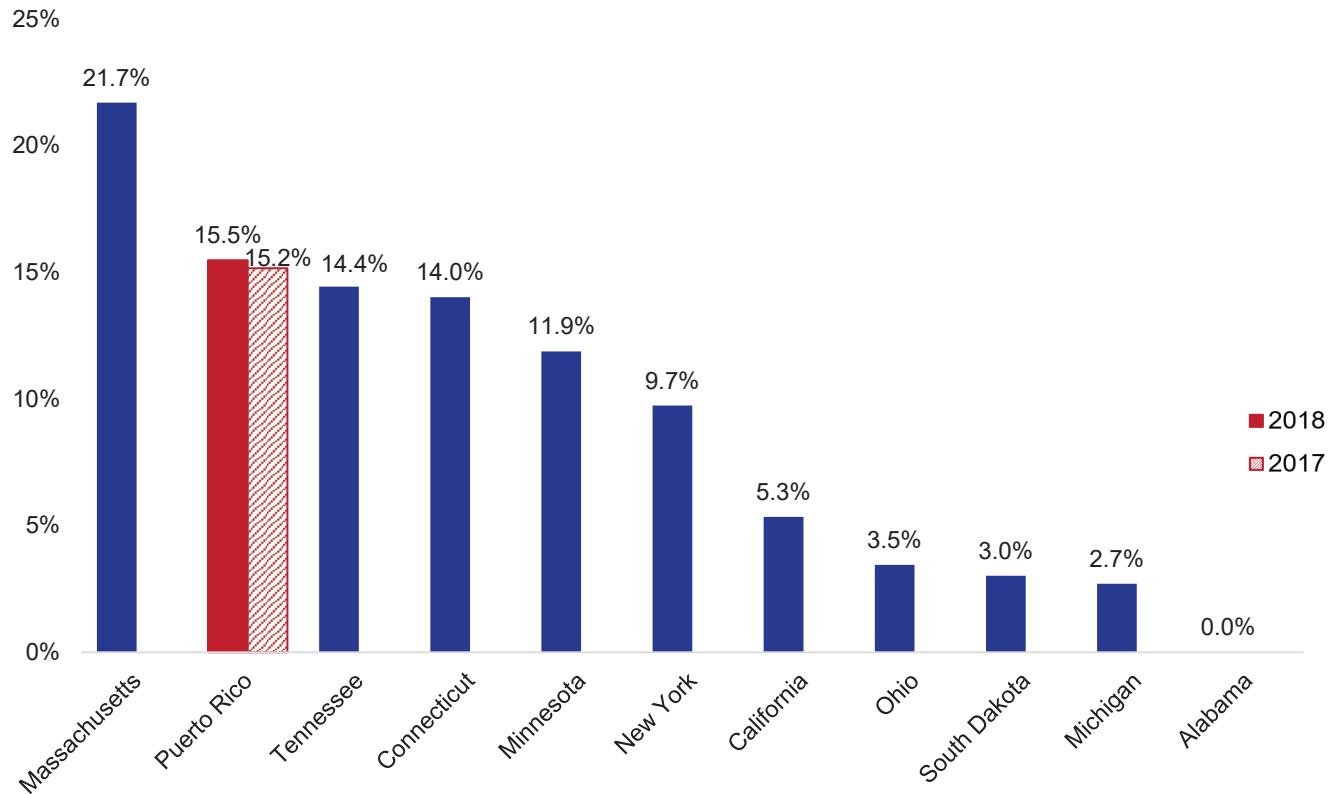
**Note:** Drug and personal use include all sales of prescription and non-prescription drugs and medical devices and products not used for commercial purposes. In PR this includes the exemption of prescription medicine for human consumption including jars, lids, security tags and bags inherent to the office of prescription drugs.

\* Estimates of South Dakota's health related tax expenditure are not disaggregated and include both goods and services.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-18)

#### Utility and fuel tax expenditures as a share of sales and use taxes



Utility/fuel tax expenditures in Puerto Rico are above levels observed in most comparison states.

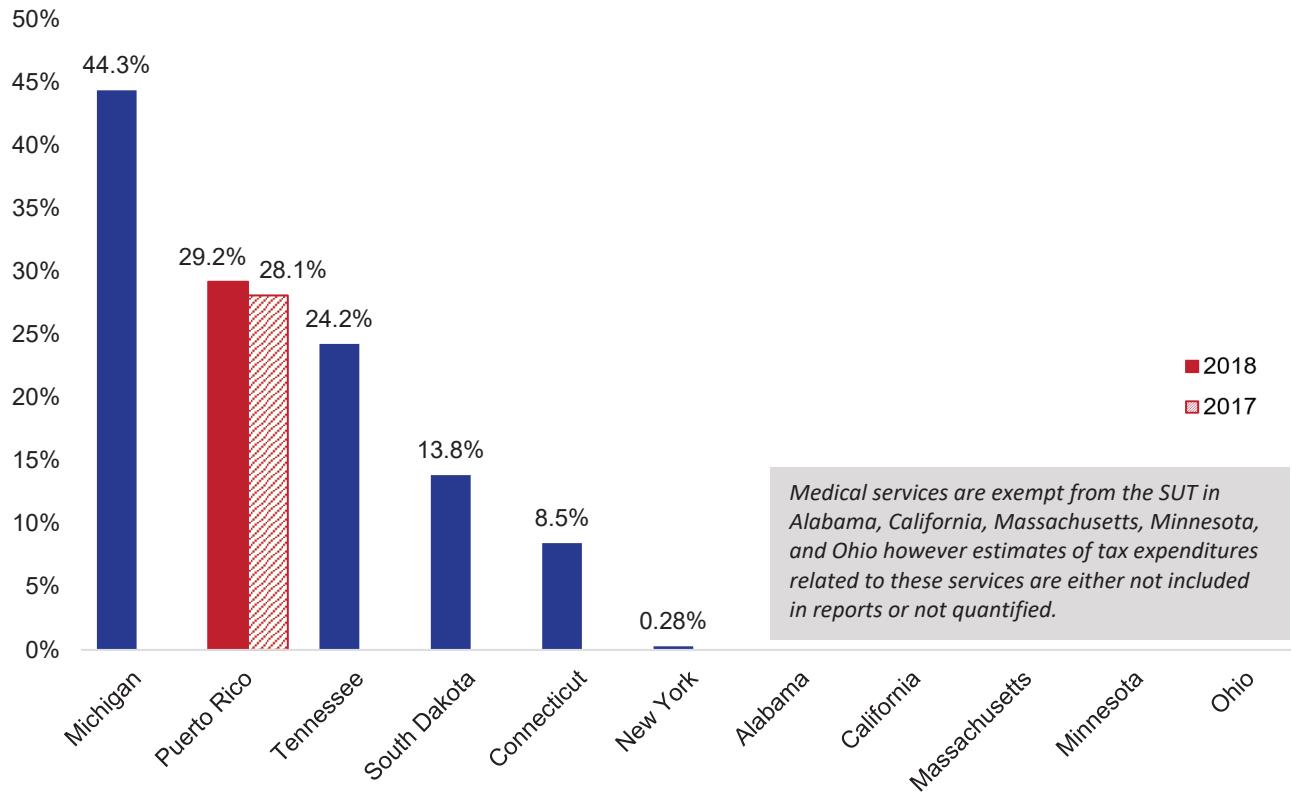
**Note:** Utility and fuel include all motor fuel or any type of fuel used for final consumption, electricity, and water. In PR this includes gasoline, aviation fuel, gas oil or diesel oil, crude petroleum, oil byproducts and finished products, and any other mixture of hydrocarbons, except propane gas and its byproducts or gases of a similar nature; electricity generated by the Electric Power Authority or any other organization that generates electricity, and Water supplied by the Aqueduct and Sewer Authority.

\*Alabama taxes utilities and fuel under excise taxes and omits them from the sales and use tax. However, the taxation of a commodity under the excise tax does not alleviate its potential tax liability under the general SUT, failure to consider this exclusion is not normal.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-19)

#### Medical services tax expenditures as a share of sales and use taxes



Puerto Rico's tax expenditure for the exemption of medical services is higher than similar exemption provided by several other states in the sample.

Not all states include estimates for tax expenditures related to medical services. Nonetheless, medical services are exempt in almost all US states.

**Note:** Medical services are exempt from the SUT in all of Alabama, California, Minnesota, New York, Ohio, and South Dakota however estimates of tax expenditures related to these services are either not included in reports or not quantified.

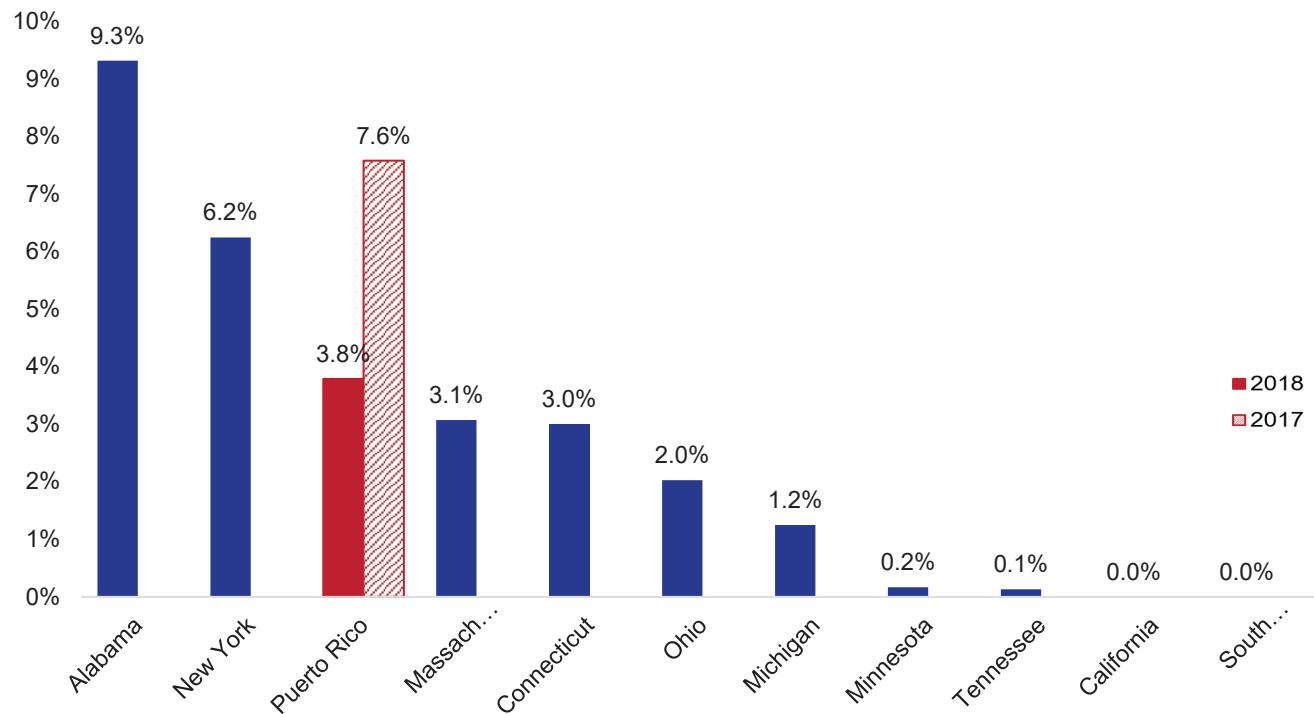
\*Estimates of South Dakota's health related tax expenditure are not disaggregated and include both goods and services.

\*\*Estimates for New York include medical emergency alarm services and veterinarian services

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-20)

#### Vehicle tax expenditures as a share of sales and use taxes



Puerto Rico's vehicle tax expenditures are higher than those in most other states in the sample.

Puerto Rico taxes vehicles under the motor vehicle excise tax and considers the exclusion of vehicles from the SUT a tax expenditure. This treatment may be problematic, as it may be for other US states.

Some US states exclude motor vehicles from the SUT in order to apply a separate excise tax on the sale of motor vehicles. The SUT exclusion still may be a tax expenditure, but interpretation is difficult because of the separate tax. In some states the excise tax is equal to the sales tax (Maryland). If the foregone revenue from excluding vehicles from SUT is to be included in the calculation of tax expenditures, it may be appropriate to net out the revenue accrued from the separate tax on motor vehicle sales. From a conceptual perspective, it depends on the purpose of the excise tax. If simply to tax consumption the excise tax is the same as a sales tax. If it is for regulatory purposes, the sales tax should also be levied.

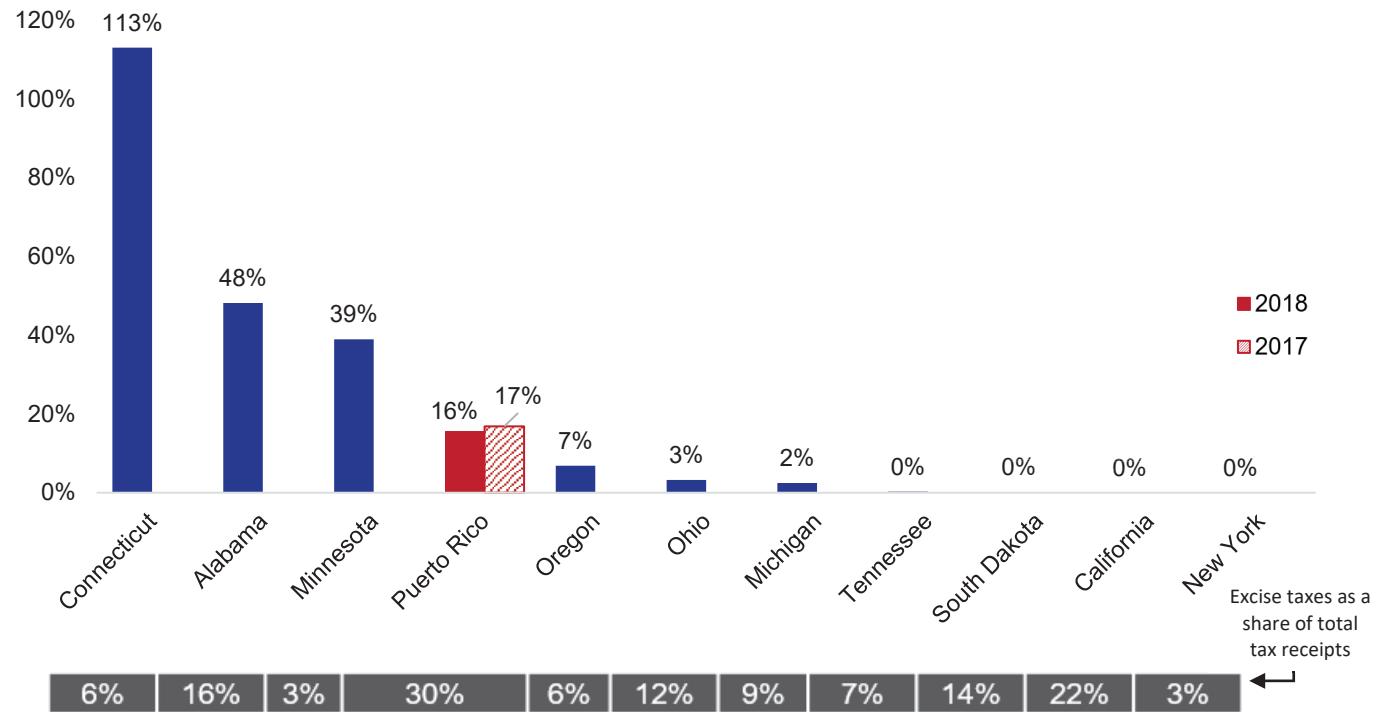
**Note:** Exemptions of vehicles from the SUT include tax-on-the-difference in the case of trade-ins, and exclusion of vehicles purchased by non-residents.

Alabama taxes automotive vehicles at a lower 2% rate instead of normal 4% rate. Connecticut, Massachusetts, Michigan, Minnesota, New York, and Ohio provide an exemption for trade-in allowances where vehicles purchased in a trade-in transaction are only subject to the SUT on the excess of the purchase price over the amount credited for the trade in. Connecticut, Michigan, and Ohio also exempt vehicles purchased by non-residents and for out of state use. Tennessee provides an exemption for motor vehicles purchased by active-duty military personnel. California does NOT provide an exemption for trade-ins. South Dakota does provide for an exemption for trade-in allowance however the amount of the related tax expenditure is not provided.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-21)

#### Excise tax expenditures as a share of excise taxes



Puerto Rico's tax expenditures for excise taxes are broadly in line with those of several other states, although some states appear to have much lower excise tax expenditures.

However, low estimates in some states may reflect an inappropriately narrow conception of the baseline excise tax against which the actual excise tax system is measured. Low measured tax expenditures do not necessarily imply the absence of tax breaks, broadly conceived. This seems likely to be the case for NY, which provides no estimates at all. CA, SD, and TN only provide estimates for a few excise taxes. A more detailed analysis is required to fully understand differences between state estimates.

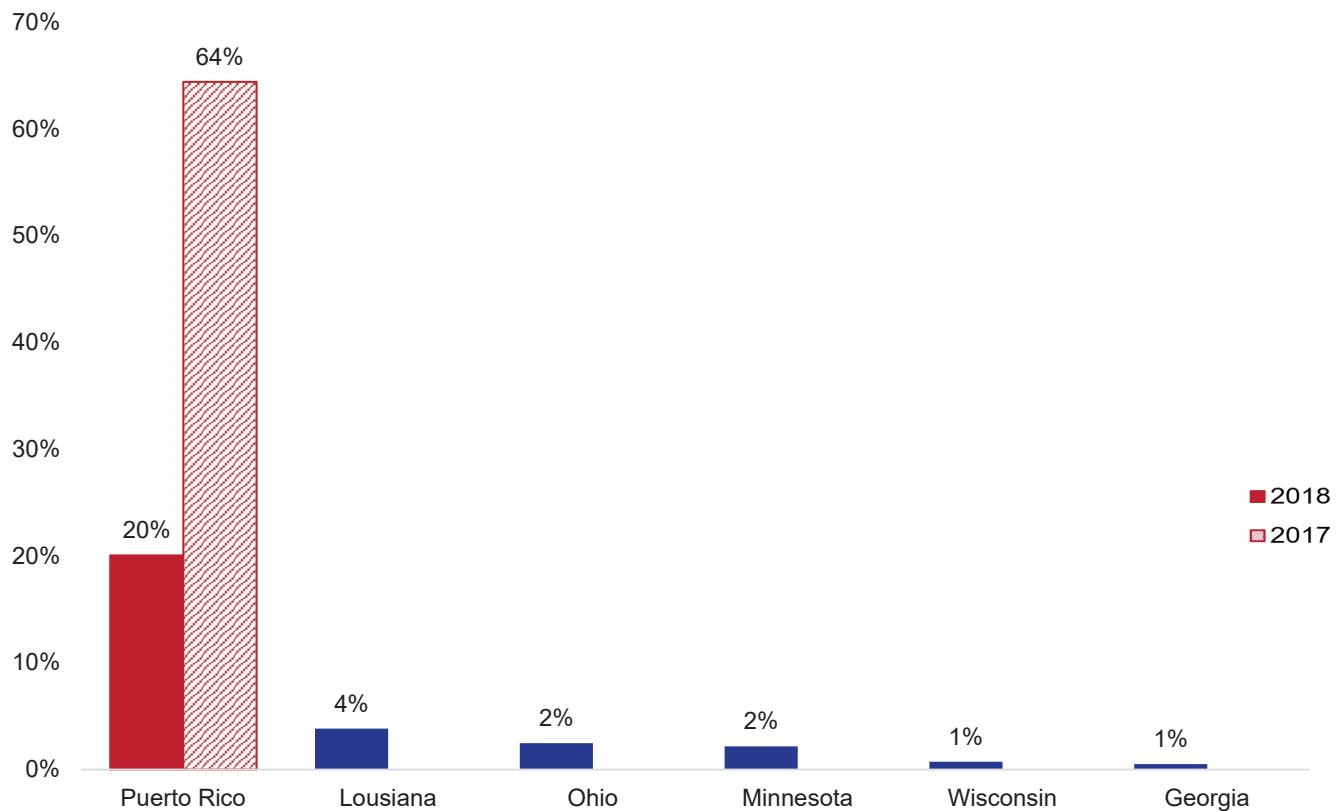
**Note:** For this analysis we consider excise taxes to be any specific, unit or ad valorem tax levied on the sale or use of specific targeted or classes of products or services including cigarettes, alcohol, gasoline among others. Puerto Rico's Excise taxes include taxes on vehicles, cigarettes, fuel, crude oil and petroleum products, and distilled spirits and alcoholic beverages.

\*Connecticut's high estimate is a result of \$708 million tax expenditure for the exemption of sales and transfers of fuel to licensed motor vehicle fuel distributors. This one item makes up roughly 50% of CT's excise tax expenditures. Alabama's high estimate is driven by assessment differentials of different classes of property as part of the Ad Valorem tax. Minnesota's high estimates are driven by two incentives in the motor vehicle tax (tax on the difference in case of trade ins and a flat tax on older cars) together these two account for more than 50% of the state's excise tax expenditures.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-22)

#### Alcoholic beverage tax expenditures as a share of alcoholic beverage excise taxes



Puerto Rico has significantly higher alcoholic beverages excise tax expenditures than do other states in the sample.

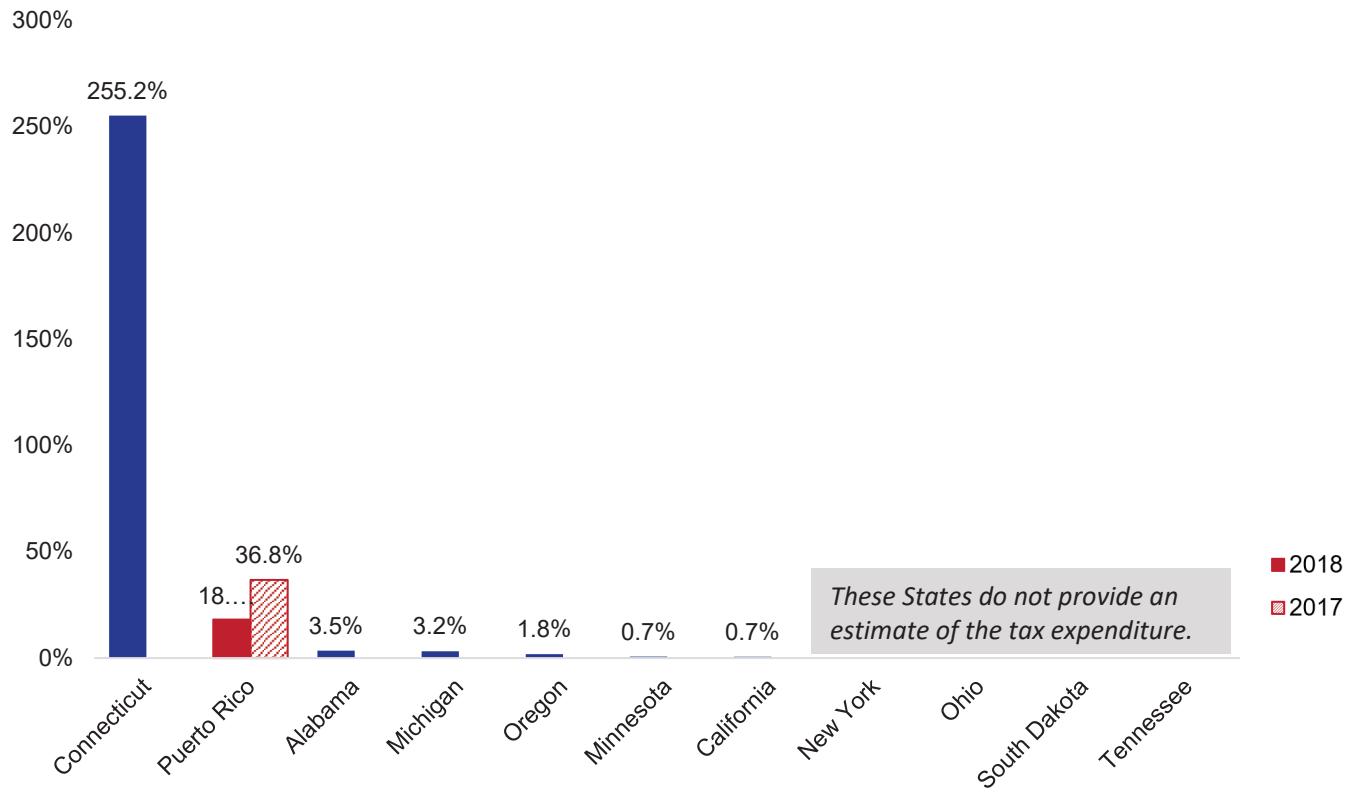
Puerto Rico's tax expenditures reflect \$41 million of exemptions of sales to armed forces of the United States, including the National Guard of Puerto Rico, and a \$28 million exemption to beer and malt extract. These are very large compared to similar tax breaks offered by US states.

**Note:** Alabama, Ohio, Oregon, and Michigan governments directly control the sales of alcoholic beverages, specifically distilled spirits. Revenue in these states is generated from various taxes, fees, price mark-ups, and profits. We added Louisiana, Wisconsin and Georgia to the analysis for this figure.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences– (Page A-23)

#### Fuel tax expenditures as a share of fuel tax receipts



Puerto Rico's tax expenditure for fuel is large compared to most US states in the sample.

Connecticut estimates are very high and mainly driven by the exemption of sales and transfers of fuel to licensed motor vehicle fuel distributors.

**Note:** For PR we excluded from the fuel tax expenditures those related to the generation of power since other states do not include these tax expenditures.

## APPENDIX A

### Puerto Rico Tax Expenditures compared to State, National & International Experiences—

(Page A-24)

There is significant variation among states in the methodology and comprehensiveness of their tax expenditure (TE) budgets, the table below provides a summary. This makes it difficult to meaningfully compare measured tax expenditures across states.

**Variations are often experienced when comparing tax expenditures across jurisdictions, including factors related to:**

**Comprehensiveness:** The more comprehensive the baseline tax system, the larger will be measured tax expenditures

**Conformity:** Conformity to the federal income tax system is one important sub-issue. Generally, states that do not conform are likely to ignore TEs that arise from federal income tax exclusions and deductions and therefore their measured TEs could be underestimated.

**Relative importance of tax:** The relative importance of tax sources also can influence measured TEs. Some states rely more heavily on consumption taxes while others rely more heavily on income taxes.

**Tax baseline:** States have very different sales and excise tax baselines, and many deviate significantly from any reasonable idea of an appropriate comprehensive base for such taxes. Some states impose very small or no income taxes, and do not count the lack of tax on many types of income as a tax expenditure. In contrast, other states with broader income taxes count even modest tax reductions as tax expenditures.

**Focus of TE Analysis:** Another issue is whether states choose to focus their TE budget on the general fund revenue or all revenue funds. Ohio and South Dakota limit their analysis to the general fund revenue and this results in lower observed TEs (in dollars, but not necessarily as a percent of revenue).

| State         | Individual Income Tax Conformity  |                       |                       | Corporate Income Tax Conformity   |                     |                       | Taxes Levied in State |                      |                   |                    | Focus of tax expenditure analysis<br>(GE/All Funds) |
|---------------|---|-----------------------|-----------------------|---|---------------------|-----------------------|-----------------------|----------------------|-------------------|--------------------|---|
|               | Federal Tax Base Used as Starting Point to Calculate State Taxable Income |                       | Internal Revenue Code | Federal Tax Base Used as Starting Point to Calculate State Taxable Income |                     | Internal Revenue Code | Individual Income Tax | Corporate Income Tax | Sales and use tax | Tobacco excise tax |   |
|               | Relation to Federal Internal Revenue Code                                 | ---                   | ---                   | Current   | January 2015        | Current               | Taxable Income        | ✓                    | ✓                 | ✓                  | X***  |
| Alabama       | ---   | Adjusted gross income | ---                   | Adjusted gross income   | January 2015        | Taxable Income        | ✓                     | ✓                    | ✓                 | ✓                  | ✓   |
| California    | January 2015  | Adjusted gross income | ---                   | Adjusted gross income   | Current             | Taxable Income        | ✓                     | ✓                    | ✓                 | ✓                  | ✓   |
| Connecticut   | Current   | Adjusted gross income | ---                   | Adjusted gross income   | Current             | Taxable Income        | ✓                     | ✓                    | ✓                 | ✓                  | ✓   |
| Massachusetts | January 2005  | Adjusted gross income | ---                   | Adjusted gross income   | January 2018        | Net Taxable Income    | ✓                     | ✓                    | ✓                 | ✓                  | ✓   |
| Michigan      | Current*  | Adjusted gross income | ---                   | Adjusted gross income   | December 2016       | Taxable Income        | ✓                     | ✓                    | ✓                 | ✓                  | ✓   |
| Minnesota     | December 2018   | Adjusted gross income | ---                   | Adjusted gross income   | Current             | Taxable Income        | ✓                     | ✓                    | ✓                 | ✓                  | ✓   |
| New York      | Current   | Adjusted gross income | ---                   | Adjusted gross income   | No state income tax | ---                   | ---                   | ---                  | ---               | ---                | ---   |
| Ohio          | March 2020  | Adjusted gross income | ---                   | Adjusted gross income   | December 2018       | Taxable Income        | ✓                     | ✓                    | ✓                 | ✓                  | ✓   |
| Oregon        | December 2018   | Taxable income        | ---                   | No state income tax   | ---                 | ---                   | ---                   | ---                  | ---               | ---                | ---   |
| South Dakota  | No state income tax   | ---                   | ---                   | On interest and dividends only  | ---                 | ---                   | ---                   | ---                  | ---               | ---                | ---   |
| Tennessee     | ---   | ---                   | ---                   | ---   | Current             | Taxable Income        | X**                   | ✓                    | ✓                 | ✓                  | ✓   |

Source: Federation of Tax Administrators (2021)

--- Indicates that the state does not employ a federal starting point

Current indicates that the state had adopted the IRC as currently in effect

Dates indicate the state has adopted the IRC as amended up to that date

✓ indicates specific tax is levied

X indicates specific tax is NOT levied

\* Michigan taxpayers can choose to use either current or January 2018 federal law

\*\* Tennessee's income tax is only levied on interest and dividends

\*\*\* The government directly controls the sales of distilled spirits. Revenue in these states is generated from various taxes, fees, price mark-ups, and net liquor profits

**APPENDIX A**  
**-Puerto Rico Tax Expenditures compared to State, National & International Experiences-**  
 (Page A-25)

**Summary of total estimated tax expenditures (\$ in mm) and share of tax**

| State  | Puerto Rico | United States | Alabama   | California  | Connecticut | Massachusetts | Michigan  | Minnesota | New York    | Ohio      | Oregon    | South Dakota | South     | Tennessee |
|--|-------------|---------------|-----------|-------------|-------------|---------------|-----------|-----------|-------------|-----------|-----------|--------------|-----------|-----------|
| Gross State Product  | \$100,980   | \$22,410,000  | \$221,126 | \$2,968,118 | \$274,180   | \$567,255     | \$528,008 | \$368,317 | \$1,676,350 | \$676,193 | \$238,684 | \$51,581     | \$365,601 |           |
| Total taxes (w/ property tax)                                      | \$11,214    | \$3,646,000   | \$10,979  | \$163,770   | \$18,506    | \$26,422      | \$44,981  | \$33,586  | \$79,266    | \$31,188  | \$17,795  | \$1,735      | \$14,614  |           |
| Total taxes (w/o property tax)                                     | \$10,164    | \$3,646,000   | \$10,573  | \$163,770   | \$18,506    | \$26,422      | \$30,360  | \$24,374  | \$79,266    | \$31,188  | \$11,245  | \$1,735      | \$14,614  |           |
| Individual income tax  | \$1,960     | \$1,824,000   | \$4,567   | \$99,949    | \$10,770    | \$15,342      | \$10,043  | \$11,784  | \$51,501    | \$10,736  | \$9,500   | \$0          | \$20      |           |
| Corporate income tax   | \$2,414     | \$255,000     | \$505     | \$12,330    | \$921       | \$2,159       | \$195     | \$1,315   | \$3,547     | \$0       | \$500     | \$0          | \$1,770   |           |
| SUT  | \$2,522     | \$0           | \$2,787   | \$38,229    | \$4,530     | \$4,352       | \$9,068   | \$5,943   | \$14,495    | \$13,300  | \$0       | \$1,008      | \$9,072   |           |
| Excise taxes   | \$2,845     | \$0           | \$1,676   | \$10,656    | \$1,165     | \$3,481       | \$2,589   | \$681     | \$2,216     | \$3,658   | \$717     | \$386        | \$1,937   |           |
| Property tax**   | \$1,050     | \$0           | \$406     | \$0         | \$10,501    | \$0           | \$14,622  | \$9,211   | \$0         | \$0       | \$6,550   | \$0          | \$1,937   |           |
| Total tax expenditure (w/ property tax expenditure)                | \$22,879    | \$1,445,976   | \$5,394   | \$72,928    | \$14,007    | \$6,929       | \$39,990  | \$20,814  | \$42,446    | \$9,115   | \$12,008  | \$1,114      | \$24,245  |           |
| Total tax expenditure (w/o property tax expenditure)               | \$21,111    | \$1,445,976   | \$5,394   | \$72,928    | \$6,506     | \$6,929       | \$29,798  | \$15,595  | \$42,646    | \$9,115   | \$6,785   | \$1,114      | \$24,245  |           |
| Individual Income Tax  | \$2,120     | \$1,308,548   | \$2,570   | \$54,071    | \$391       | \$7,438       | \$9,973   | \$6,874   | \$26,513    | \$2,311   | \$6,240   | \$0          | \$5,245   |           |
| Corporate Income Tax   | \$14,757    | \$137,428     | \$322     | \$5,405     | \$339       | \$2,064       | \$927     | \$889     | \$1,550     | \$0       | \$493     | \$0          | \$1,102   |           |
| Sales and Use Tax  | \$3,788     | \$0           | \$1,286   | \$13,352    | \$4,002     | \$4,864       | \$18,477  | \$7,198   | \$13,013    | \$5,988   | \$0       | \$1,097      | \$3,002   |           |
| Excise Tax   | \$446       | \$0           | \$807     | \$0         | \$1,316     | \$0           | \$64      | \$265     | \$0         | \$118     | \$49      | \$1          | \$1,097   |           |
| Property Tax   | \$1,768     | \$0           | \$0       | \$0         | \$7,501     | \$0           | \$10,131  | \$5,219   | \$0         | \$0       | \$5,223   | \$0          | \$0       |           |
| <b>Total tax expenditure (without property tax) as a share of:</b> |             |               |           |             |             |               |           |           |             |           |           |              |           |           |
| Total tax expenditure as a share of GSP                            | 21%         | 6%            | 2%        | 2%          | 1%          | 6%            | 4%        | 3%        | 1%          | 3%        | 3%        | 2%           | 3%        | 3%        |
| Total tax expenditure as a share of total taxes                    | 208%        | 40%           | 51%       | 45%         | 35%         | 26%           | 98%       | 64%       | 54%         | 29%       | 60%       | 64%          | 63%       | 64%       |
| Individual Income Tax  | 108%        | 72%           | 56%       | 54%         | 4%          | 48%           | 99%       | 58%       | 51%         | 22%       | 66%       | 0%           | 0%        | 0%        |
| Corporate Income Tax   | 611%        | 54%           | 64%       | 44%         | 37%         | 96%           | 477%      | 68%       | 44%         | 0%        | 99%       | 0%           | 74%       | 74%       |
| Sales and Use Tax  | 150%        | 0%            | 46%       | 35%         | 88%         | 112%          | 204%      | 121%      | 90%         | 45%       | 0%        | 109%         | 0%        | 109%      |
| Excise Tax   | 16%         | 0%            | 48%       | 0%          | 113%        | 0%            | 2%        | 39%       | 0%          | 3%        | 7%        | 0%           | 0%        | 0%        |
| <b>Taxes as a share of total taxes</b>                             |             |               |           |             |             |               |           |           |             |           |           |              |           |           |
| Individual Income Tax  | 19%         | 50%           | 43%       | 61%         | 58%         | 58%           | 33%       | 48%       | 65%         | 34%       | 84%       | 0%           | 0%        | 0%        |
| Corporate Income Tax   | 24%         | 7%            | 5%        | 8%          | 5%          | 8%            | 1%        | 5%        | 4%          | 0%        | 4%        | 0%           | 0%        | 0%        |
| Sales and Use Tax  | 25%         | 0%            | 26%       | 23%         | 24%         | 16%           | 30%       | 24%       | 18%         | 43%       | 0%        | 5.8%         | 12%       | 7.8%      |
| Excise Tax   | 28%         | 0%            | 16%       | 7%          | 6%          | 13%           | 9%        | 3%        | 3%          | 12%       | 6%        | 22%          | 6%        | 22%       |

\*\* This is a very conservative estimate based only on the exemptions and exonerations identified in the CRIM Fiscal Plan. It does not include inherent Tax Expenditures due to the failure to assess properties at current values. The estimates are based on the data provided by CRIM for the CRIM Fiscal Plan.

**Source:** The tax expenditure numbers are gathered from the most recent publicly available state-by-state tax expenditure reports. The tax revenue numbers are collected from the state-by-state publicly available budget/CAFR/revenue reports for the same fiscal year as the tax expenditures data are gathered. Data on Puerto Rico revenue are from the Government of Puerto Rico Hacienda website.

**Notes:** See next page.

**APPENDIX A**  
**-Puerto Rico Tax Expenditures compared to State, National & International Experiences-**  
 (Page A-26)

**Summary of tax expenditures by major tax expenditure items (\$ in mm)**

| State  | Puerto Rico     | United States      | Alabama        | California      | Connecticut    | Massachusetts   | Michigan        | Minnesota      | New York        | Ohio           | Oregon         | South Dakota   | Tennessee      |
|--|-----------------|--------------------|----------------|-----------------|----------------|-----------------|-----------------|----------------|-----------------|----------------|----------------|----------------|----------------|
| <b>Individual Income Tax</b>                         | <b>\$2,120</b>  | <b>\$1,308,548</b> | <b>\$2,570</b> | <b>\$54,071</b> | <b>\$391</b>   | <b>\$7,438</b>  | <b>\$9,973</b>  | <b>\$6,874</b> | <b>\$26,513</b> | <b>\$2,311</b> | <b>\$6,240</b> | <b>\$0</b>     | <b>\$0</b>     |
| Pension/Retirement                                   | \$144           | \$208,830          | \$339          | \$15,320        | \$22           | \$2,397         | \$1,404         | \$1,823        | \$5,216         | \$136          | \$1,196        | \$0            | \$0            |
| Health Insurance/Medical expenses                    | \$222           | \$238,490          | \$64           | \$9,490         | \$0            | \$1,186         | \$1,106         | \$2,015        | \$5,572         | \$94           | \$902          | \$0            | \$0            |
| Social Security Benefits                             | \$141           | \$31,650           | \$163          | \$4,300         | \$141          | \$1,028         | \$775           | \$362          | \$2,168         | \$1,379        | \$1,143        | \$0            | \$0            |
| Home mortgage interest deduction                     | \$207           | \$29,820           | \$163          | \$4,000         | \$0            | \$0             | \$0             | \$228          | \$709           | \$0            | \$548          | \$0            | \$0            |
| Charitable contribution                              | \$41            | \$46,450           | \$190          | \$3,000         | \$0            | \$0             | \$0             | \$248          | \$638           | \$0            | \$212          | \$0            | \$0            |
| Personal exemption                                   | \$0             | \$0                | \$187          | \$0             | \$0            | \$0             | \$1,391         | \$0            | \$0             | \$0            | \$601          | \$0            | \$0            |
| <b>Corporate Income Tax</b>                          | <b>\$14,757</b> | <b>\$137,428</b>   | <b>\$322</b>   | <b>\$5,405</b>  | <b>\$339</b>   | <b>\$2,064</b>  | <b>\$927</b>    | <b>\$889</b>   | <b>\$1,550</b>  | <b>\$0</b>     | <b>\$493</b>   | <b>\$0</b>     | <b>\$116</b>   |
| Deductions   | \$23            | \$16,680           | \$157          | \$379           | \$91           | \$613           | \$2             | \$241          | \$381           | \$0            | \$17           | \$0            | \$0            |
| Exclusions/Exemptions                                | \$182           | \$10,391           | \$0            | \$2,420         | \$0            | \$451           | \$226           | \$164          | \$0             | \$0            | \$273          | \$0            | \$0            |
| Credits  | \$160           | \$34,720           | \$57           | \$2,296         | \$248          | \$654           | \$700           | \$103          | \$1,142         | \$0            | \$2            | \$0            | \$116          |
| Preferential rates                                   | \$14,184        | \$39,050           | \$0            | \$230           | \$0            | \$0             | \$0             | \$0            | \$0             | \$0            | \$0            | \$0            | \$0            |
| <b>Sales and Use Tax</b>                             | <b>\$3,788</b>  | <b>\$0</b>         | <b>\$1,286</b> | <b>\$13,352</b> | <b>\$4,002</b> | <b>\$4,864</b>  | <b>\$18,477</b> | <b>\$7,198</b> | <b>\$13,013</b> | <b>\$5,988</b> | <b>\$0</b>     | <b>\$1,097</b> | <b>\$8,802</b> |
| Food exemption                                       | \$646           | \$0                | \$52           | \$6,321         | \$498          | \$702           | \$1,388         | \$916          | \$1,995         | \$19           | \$0            | \$7            | \$371          |
| Prescription drug and medical device                 | \$324           | \$0                | \$263          | \$2,994         | \$465          | \$544           | \$793           | \$485          | \$1,670         | \$506          | \$0            | \$140          | \$873          |
| Utility/fuel Total                                   | \$409           | \$0                | \$0            | \$2,044         | \$635          | \$944           | \$245           | \$706          | \$1,412         | \$459          | \$0            | \$30           | \$1,302        |
| Health and medical services exemption                | \$736           | \$0                | \$0            | \$0             | \$384          | \$0             | \$4,021         | \$0            | \$41            | \$0            | \$0            | \$140          | \$2,188        |
| Vehicle exclusion                                    | \$65            | \$0                | \$260          | \$0             | \$136          | \$134           | \$113           | \$10           | \$905           | \$270          | \$0            | \$0            | \$12           |
| Services   | \$1,401         | \$0                | \$0            | \$1,934         | \$710          | \$393           | \$13,292        | \$3,333        | \$1,897         | \$234          | \$0            | \$283          | \$5,351        |
| <b>Excise Tax</b>                                    | <b>\$446</b>    | <b>\$0</b>         | <b>\$807</b>   | <b>\$0</b>      | <b>\$1,316</b> | <b>\$0</b>      | <b>\$64</b>     | <b>\$265</b>   | <b>\$0</b>      | <b>\$118</b>   | <b>\$49</b>    | <b>\$1</b>     | <b>\$6</b>     |
| Tobacco/Cigarette Tax                                | \$0             | \$0                | \$90           | \$0             | \$10           | \$0             | \$19            | \$50           | \$0             | \$18           | \$1            | \$0            | \$0            |
| Alcoholic Beverage Tax                               | \$53            | \$0                | \$0            | \$0             | \$0            | \$0             | \$0             | \$2            | \$0             | \$3            | \$2            | \$0            | \$0            |
| Fuels  | \$1             | \$0                | \$23           | \$50            | \$1,276        | \$0             | \$46            | \$7            | \$0             | \$0            | \$12           | \$0            | \$0            |
| <b>Property tax</b>                                  | <b>\$1,768</b>  | <b>\$0</b>         | <b>\$0</b>     | <b>\$7,501</b>  | <b>\$0</b>     | <b>\$10,131</b> | <b>\$5,219</b>  | <b>\$0</b>     | <b>\$0</b>      | <b>\$5,223</b> | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |
| Total tax expenditure (w. property tax expenditure)  | \$22,879        | \$1,445,976        | \$5,394        | \$72,928        | \$14,007       | \$6,929         | \$39,930        | \$20,814       | \$42,646        | \$9,115        | \$12,008       | \$1,114        | \$9,245        |
| Total tax expenditure (w/o property tax expenditure) | \$21,111        | \$1,445,976        | \$5,394        | \$72,928        | \$6,506        | \$6,329         | \$29,798        | \$15,395       | \$42,646        | \$9,115        | \$6,785        | \$1,114        | \$9,245        |

Note: Total tax expenditure includes tax expenditures associated with total individual income tax, corporate income tax, SUT, and excise tax as well as other taxes included in state tax expenditure reports (excluding property tax). Similarly, total taxes include all taxes but excludes property taxes which accrue to jurisdictions other than the state. The property tax and property tax expenditure data are provided for states if covered in state tax expenditure reports. Further, Total Tax and SUT revenue reported in this table are \$848,682,000 greater than what is reported in hacienda report: [http://www.hacienda.gobierno.pr/sites/default/files/ingresos\\_netros\\_junio\\_2016-17\\_0.pdf](http://www.hacienda.gobierno.pr/sites/default/files/ingresos_netros_junio_2016-17_0.pdf). This is because hacienda tables exclude portions of the SUT collection dedicated to special funds from Total Tax revenue while an analysis of relative magnitudes of tax expenditures require that all tax collections be included, irrespective of the fund to which they accrue.

**APPENDIX A**  
**-Puerto Rico Tax Expenditures compared to State, National & International Experiences-**  
 (Page A-27)

**Summary of tax expenditures as a portion of the taxes collected from each tax category (%)**

| State  | United States | Alabama    | California | Connecticut | Massachusetts | Michigan    | Minnesota   | New York    | Ohio       | Oregon     | South Dakota | Tennessee   |
|--|---------------|------------|------------|-------------|---------------|-------------|-------------|-------------|------------|------------|--------------|-------------|
| <b>Individual Income Tax</b>   | <b>108%</b>   | <b>72%</b> | <b>56%</b> | <b>54%</b>  | <b>4%</b>     | <b>48%</b>  | <b>99%</b>  | <b>58%</b>  | <b>51%</b> | <b>22%</b> | <b>66%</b>   | <b>NA</b>   |
| Pension/Retirement tax expenditures as share of ind.                           | 7%            | 11%        | 7%         | 15%         | 0%            | 16%         | 14%         | 15%         | 10%        | 1%         | 13%          | NA          |
| Income tax   |               |            |            |             |               |             |             |             |            |            |              | 0%          |
| Health insurance/Medical expenses tax expenditures as share of ind. Income tax | 11%           | 13%        | 1%         | 9%          | 0%            | 8%          | 11%         | 17%         | 11%        | 1%         | 9%           | NA          |
| Social Security tax expenditures as share of ind. Income tax                   | 7%            | 2%         | 4%         | 4%          | 1%            | 7%          | 8%          | 3%          | 4%         | 13%        | 12%          | NA          |
| Home mortgage interest deduction as share of ind. Income tax                   |               |            |            |             |               |             |             |             |            |            |              | 0%          |
| Charitable contribution tax expenditures as share of ind. Income tax           | 11%           | 2%         | 4%         | 4%          | 0%            | 0%          | 0%          | 2%          | 1%         | 0%         | 6%           | NA          |
| Personal exemption   | 0%            | 0%         | 4%         | 3%          | 0%            | 0%          | 0%          | 2%          | 1%         | 0%         | 2%           | NA          |
| <b>Corporate Income Tax</b>  | <b>611%</b>   | <b>54%</b> | <b>64%</b> | <b>44%</b>  | <b>37%</b>    | <b>96%</b>  | <b>477%</b> | <b>68%</b>  | <b>44%</b> | <b>NA</b>  | <b>99%</b>   | <b>NA</b>   |
| Deductions as share of corp. income tax  | 1%            | 7%         | 31%        | 3%          | 10%           | 28%         | 1%          | 18%         | 11%        | NA         | 3%           | NA          |
| Exclusions/Exemptions as share of corp. income tax                             | 8%            | 4%         | 0%         | 20%         | 0%            | 21%         | 116%        | 12%         | 0%         | NA         | 55%          | NA          |
| Credits as share of corp. income tax   | 7%            | 14%        | 11%        | 19%         | 27%           | 30%         | 366%        | 8%          | 32%        | NA         | 0%           | NA          |
| Preferential rates as share of corp. income tax                                | 587%          | 15%        | 0%         | 2%          | 0%            | 0%          | 0%          | 0%          | 0%         | NA         | 0%           | NA          |
| <b>Sales and Use Tax</b>   | <b>150%</b>   | <b>NA</b>  | <b>46%</b> | <b>35%</b>  | <b>88%</b>    | <b>112%</b> | <b>204%</b> | <b>121%</b> | <b>90%</b> | <b>45%</b> | <b>NA</b>    | <b>109%</b> |
| Food tax expenditures as share of SUT  | 26%           | NA         | 2%         | 17%         | 11%           | 16%         | 15%         | 15%         | 14%        | 0%         | NA           | 1%          |
| Prescription drug and medical device tax expenditures as share of SUT          | 13%           | NA         | 9%         | 8%          | 10%           | 12%         | 9%          | 8%          | 12%        | 4%         | NA           | 14%         |
| Utility/fuel tax expenditures as share of SUT                                  | 16%           | NA         | 0%         | 5%          | 14%           | 22%         | 3%          | 12%         | 10%        | 3%         | NA           | 3%          |
| Medical services tax expenditures as share of SUT                              | 29%           | NA         | 0%         | 0%          | 8%            | 0%          | 44%         | 0%          | 0%         | 0%         | NA           | 14%         |
| Vehicle tax expenditures as share of SUT                                       | 3%            | NA         | 9%         | 0%          | 3%            | 3%          | 1%          | 0%          | 6%         | 2%         | NA           | 0%          |
| Services tax expenditures as share of SUT                                      | 56%           | NA         | 0%         | 5%          | 16%           | 9%          | 147%        | 56%         | 13%        | 2%         | NA           | 28%         |
| <b>Excise Tax</b>  | <b>16%</b>    | <b>NA</b>  | <b>48%</b> | <b>0%</b>   | <b>113%</b>   | <b>0%</b>   | <b>2%</b>   | <b>39%</b>  | <b>0%</b>  | <b>3%</b>  | <b>7%</b>    | <b>0%</b>   |
| Tobacco/Cigarette tax expenditures as share of excise taxes                    | 0%            | NA         | 50%        | 0%          | 3%            | 0%          | NA          | 8%          | 0%         | 2%         | 2%           | NA          |
| Alcoholic Beverage tax expenditures as share of excise taxes                   | 20%           | NA         | NA         | 0%          | 0%            | 0%          | NA          | 2%          | 0%         | 2%         | NA           | NA          |
| Fuel tax expenditures as share of excise taxes                                 | 18%           | NA         | 4%         | 1%          | 255%          | 0%          | 3%          | 1%          | 0%         | 0%         | 2%           | NA          |
| <b>Property Tax</b>  | <b>168%</b>   | <b>NA</b>  | <b>0%</b>  | <b>NA</b>   | <b>71%</b>    | <b>NA</b>   | <b>69%</b>  | <b>57%</b>  | <b>NA</b>  | <b>NA</b>  | <b>80%</b>   | <b>NA</b>   |
| Total tax expenditure (w. property tax expenditure) share of GSP               | 23%           | 6%         | 2%         | 2%          | 5%            | 1%          | 8%          | 6%          | 3%         | 1%         | 5%           | 2%          |
| Total tax expenditure (w/o property tax expenditure) share of GSP              | 21%           | 6%         | 2%         | 2%          | 1%            | 6%          | 4%          | 3%          | 1%         | 3%         | 2%           | 3%          |
| Total tax expenditure (w. property tax expenditure) share of tax               | 204%          | 40%        | 49%        | 45%         | 76%           | 26%         | 89%         | 62%         | 54%        | 29%        | 67%          | 64%         |
| Total tax expenditure (w/o property tax expenditure) share of tax              | 203%          | 40%        | 51%        | 45%         | 35%           | 26%         | 93%         | 64%         | 54%        | 29%        | 60%          | 64%         |

**APPENDIX A**

**-Puerto Rico Tax Expenditures compared to State, National & International Experiences-**  
(Page A-28)

| <b>Tax expenditures source</b> |  |
|--------------------------------|--|
| Alabama                        | <a href="http://isa.alabama.gov/PDF/LFO/TaxExpenditure/2019.Tax.Expenditure.Report.pdf">http://isa.alabama.gov/PDF/LFO/TaxExpenditure/2019.Tax.Expenditure.Report.pdf</a>  |
| Connecticut                    | <a href="https://www.ct.gov/oia/Documents/year/TER/2018TER-2018%20Expenditure%20Report%20FY%2018.pdf">https://www.ct.gov/oia/Documents/year/TER/2018TER-2018%20Expenditure%20Report%20FY%2018.pdf</a>  |
| South Dakota                   | <a href="http://dor.sd.gov/Taxes/Business_Taxes/Forms/PDFs/FY18TaxExpenditures.pdf">http://dor.sd.gov/Taxes/Business_Taxes/Forms/PDFs/FY18TaxExpenditures.pdf</a>  |
| California                     | <a href="http://www.dof.ca.gov/Forecasting/Economics/Tax_Expenditure_Reports/documents/Tax_ExpenditureReport_2019-20.pdf">http://www.dof.ca.gov/Forecasting/Economics/Tax_Expenditure_Reports/documents/Tax_ExpenditureReport_2019-20.pdf</a>  |
| Massachusetts                  | <a href="https://www.mass.gov/files/documents/2017/02/21/treb2018.pdf">https://www.mass.gov/files/documents/2017/02/21/treb2018.pdf</a>  |
| Michigan                       | <a href="https://www.michigan.gov/documents/treasury/Executive_Budget_Appendix_on_Tax_Credits_Deductions_and_Exemptions_-_FY_2017_and_FY_2018_601877_7.pdf">https://www.michigan.gov/documents/treasury/Executive_Budget_Appendix_on_Tax_Credits_Deductions_and_Exemptions_-_FY_2017_and_FY_2018_601877_7.pdf</a>  |
| Minnesota                      | <a href="https://www.revenue.state.mn.us/sites/default/files/2018-03/2018_tax_expenditure_links.pdf">https://www.revenue.state.mn.us/sites/default/files/2018-03/2018_tax_expenditure_links.pdf</a>  |
| New York                       | <a href="https://www.budget.ny.gov/pubs/archive/fy19/exec/fy19ter/taxexpndfy19.pdf">https://www.budget.ny.gov/pubs/archive/fy19/exec/fy19ter/taxexpndfy19.pdf</a>  |
| Ohio                           | <a href="https://www.tax.ohio.gov/publications/portals/0/communications/publications/FY18-19_Tax_Expenditure_Report.pdf">https://www.tax.ohio.gov/publications/portals/0/communications/publications/FY18-19_Tax_Expenditure_Report.pdf</a>  |
| Tennessee                      | <a href="https://www.tn.gov/content/damtn/finance/budget/documents/2019BudgetDocumentVol1.pdf">https://www.tn.gov/content/damtn/finance/budget/documents/2019BudgetDocumentVol1.pdf</a>  |
| United States                  | <a href="https://home.treasury.gov/system/files/131/Tax-Expenditures-FY2020.pdf">https://home.treasury.gov/system/files/131/Tax-Expenditures-FY2020.pdf</a>  |
| Oregon                         | <a href="https://www.oregon.gov/DOR/programs/gov-research/Documents/full-tax-expenditure_2017-19.pdf">https://www.oregon.gov/DOR/programs/gov-research/Documents/full-tax-expenditure_2017-19.pdf</a>  |
| <b>Tax revenue source</b>      |  |
| Alabama                        | <a href="https://revenue.alabama.gov/wp-content/uploads/2019/02/2018-Annual-Report.pdf">https://revenue.alabama.gov/wp-content/uploads/2019/02/2018-Annual-Report.pdf</a>  |
| Connecticut                    | <a href="https://www.osc.ct.gov/2018annual/pdf/Annual2018.pdf">https://www.osc.ct.gov/2018annual/pdf/Annual2018.pdf</a>  |
| South Dakota                   | <a href="https://bfm.sd.gov/cafr/SD_CAFR_2018.PDF#view=fit">https://bfm.sd.gov/cafr/SD_CAFR_2018.PDF#view=fit</a>  |
| California                     | <a href="http://www.ebudget.ca.gov/2018-19/pdf/BudgetSummary/SummaryCharts.pdf">http://www.ebudget.ca.gov/2018-19/pdf/BudgetSummary/SummaryCharts.pdf</a><br><a href="http://www.ebudget.ca.gov/2019-20/pdf/BudgetSummary/SummaryCharts.pdf">http://www.ebudget.ca.gov/2019-20/pdf/BudgetSummary/SummaryCharts.pdf</a>   |
| Massachusetts                  | <a href="https://malegislature.gov/Budget/FY2018/FinalBudget">https://malegislature.gov/Budget/FY2018/FinalBudget</a>  |
| Michigan                       | <a href="https://www.michigan.gov/documents/budget/2018_FINAL_CAFR_Links_Reduced_5-10-2019_654889_7.pdf">https://www.michigan.gov/documents/budget/2018_FINAL_CAFR_Links_Reduced_5-10-2019_654889_7.pdf</a><br><a href="https://sigma.michigan.gov/EI360TransparencyApp/files/Tax%20Expenditure%20Reports/Tax%20Expenditure%20Report%20202017.pdf">https://sigma.michigan.gov/EI360TransparencyApp/files/Tax%20Expenditure%20Reports/Tax%20Expenditure%20Report%20202017.pdf</a><br><a href="https://www.house.mi.gov/hta/PDF/Revenue_Forecast/Source_and_Distribution_Apr2019.pdf">https://www.house.mi.gov/hta/PDF/Revenue_Forecast/Source_and_Distribution_Apr2019.pdf</a><br><a href="https://www.michigan.gov/documents/budget/2018_FINAL_CAFR_Links_Reduced_5-10-2019_654889_7.pdf">https://www.michigan.gov/documents/budget/2018_FINAL_CAFR_Links_Reduced_5-10-2019_654889_7.pdf</a> |
| Minnesota                      | <a href="https://leg.state.mn.us/docs/2019/mandatory/1905-11.pdf">https://leg.state.mn.us/docs/2019/mandatory/1905-11.pdf</a>  |
| New York                       | <a href="https://www.budget.ny.gov/pubs/archive/fy20/exec/fy20ero.pdf">https://www.budget.ny.gov/pubs/archive/fy20/exec/fy20ero.pdf</a>  |
| Ohio                           | <a href="https://budget.ohio.gov/BookOne_BudgetRecommendations_FY20-21.pdf">https://budget.ohio.gov/BookOne_BudgetRecommendations_FY20-21.pdf</a>  |
| Tennessee                      | <a href="https://www.tn.gov/content/damtn/finance/budget/documents/2018/CAFR_2018.pdf">https://www.tn.gov/content/damtn/finance/budget/documents/2018/CAFR_2018.pdf</a>  |
| United States                  | <a href="https://www.whitehouse.gov/wp-content/uploads/2019/03/budget-fy2020.pdf">https://www.whitehouse.gov/wp-content/uploads/2019/03/budget-fy2020.pdf</a>  |
| Oregon                         | <a href="https://www.oregon.gov/das/Financial/Documents/2019-21_db.pdf">https://www.oregon.gov/das/Financial/Documents/2019-21_db.pdf</a>  |

**SwainDPRCorresp NYSD**

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**From:** ANDRES DEBS [REDACTED]  
**Sent:** Sunday, December 05, 2021 8:34 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

CAUTION - EXTERNAL:

Favor de aprobar la ley 80 , confió en Dios y en usted

Enviado desde mi iPhone

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## SwainDPRCorresp NYSD

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**From:** Carlos Cacho-Rodriguez [REDACTED]  
**Sent:** Sunday, December 05, 2021 10:02 PM  
**To:** NYSD Swain Corresp  
**Subject:** Justice for affected pensions

### **CAUTION - EXTERNAL:**

Hon. Laura Taylor Swain  
District Judge  
United States District Court  
southern district of new york

Through this letter I am writing to you to communicate my case as well as the many Puerto Ricans who at the moment have already been affected by the government of Puerto Rico, where as of today they have reduced our pension rights to 38% of our salary income from the year 2013.

I started working in the government of Puerto Rico on March 1, 1988 at the age of 29. Currently I have been working for 33 years and 9 months in government and on November 29, 2021 I just turned 63 years old. According to the contract that I signed with the government of Puerto Rico at that time (year 1988), today I would be formally retired with my acquired benefits of 75% of my current salary. Unfortunately, as of today, I have not been able to retire and I believe that I will never be able to. Since I will never be able to live with the income of a pension of 38% of the salary of 2013 due to inflation and the high costs of living in the present. The current retirees of the PR government have incomes between 65% - 75% of their salaries, plus benefits of contributions to the medical plan and Christmas bonus. But what about those of us who could not retire because they took away our benefits in 2013? We will have to continue working until we die, because if we retired at this time we would be left destitute.

For this reason, honorable judge, we ask you from the bottom of our hearts to have mercy on us who have already completed the years worked and the statutory age to retire. So please do us justice and at least allow us to retire with 50% of our income to try to live with dignity and not be left destitute. It is up to you to dictate justice that the Government of Puerto Rico and Financial Oversight & Management Board For Puerto Rico have never been able to reach an agreement. And so the roughly 3,000 public employees who meet all the requirements to retire, we can finally do so.

Thank you for all you can do for us.

Sincerely,

Carlos E Cacho Rodriguez  
63 years old and  
Public employee for 34 years  
Government of Puerto Rico

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## SwainDPRCorresp NYSD

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**From:** Helsone Ramos [REDACTED]  
**Sent:** Sunday, December 05, 2021 9:02 PM  
**To:** NYSD Swain Corresp  
**Subject:** PETITION FOR APPROVAL OF LAW 80

### **CAUTION - EXTERNAL:**

Hon. Laura Taylor Swain  
Federal judge

I address you with the greatest sense of human sensitivity and justice.

I am a public employee of the Commonwealth of Puerto Rico. I began to work in public service in 1984. When I was sworn in as a public official and signed my appointment under Law 447 of the retirement system for employees of the executive branch and the Judiciary of the Government of Puerto Rico. Said law 447 establishes that my time of years of service to qualify to receive retirement is 75% with 30 years of service and 55 years of age.

In 2013 they amended law 447 and I was affected by the reduction of my pension benefits.

It has already been 37 years of service and my health is not the best. With the approval of Law 80 in 2020 for an incentivized retirement, it gives me the opportunity to take up retirement.

It has been 16 months since the 80 laws were in place, so this wait for me has been too harrowing, emotionally painful and profound for our physical and mental health.

Honorable Judge I beg you to understand our claim. Hoping in God to enlighten her with the greatest sense of justice and understand the claim. Please, Honorable Judge, I beg you to endorse this law.

It is up to you on this matter.

Cordially

Helsone L. Ramos Vallés  
[REDACTED]

Enviado desde [Outlook](#)

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## SwainDPRCorresp NYSD

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**From:** Zaida Alvarez [REDACTED]  
**Sent:** Sunday, December 05, 2021 7:16 PM  
**To:** NYSD Swain Corresp  
**Subject:** LAWS 80 AND 81

**CAUTION - EXTERNAL:**

Dear Judge Taylor Swain:

We need you to please pass Laws 80 and 81 so that we can withdraw. Many of us have already passed 30 years of service and are already tired and sick, many with disabling illnesses like me.

We also suffer from depression and panic attacks. In my personal character I have had to be sick several times because my Psychiatrist has not found me well and sends me on rest. I have also been in partial hospitalization at the Hospital Panamericano.

It is our time. We deserve our retirement now. We cannot continue dying awaiting our retirement.

I hope it helps us with all my heart so that we can all retire, state and federal, because we all pay the same withdrawal.

Sincerely,

Zaida Alvarez Flores  
Department of Education, Central Level Federal Funds

[Sent from Yahoo Mail on Android](#)

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**SwainDPRCorresp NYSD**

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**From:** Angel Hermina [REDACTED]  
**Sent:** Monday, December 06, 2021 4:14 AM  
**To:** NYSD Swain Corresp  
**Subject:** Please be just. We are persons no numbers. Don't condemn us for work.

**CAUTION - EXTERNAL:**

Judge Taylor Swain the Financial Oversight & Management Board for Puerto Rico requested the repeal of Law 80 & 81 in PR and stop all pension for 10 years. What's gonna happen with all the old people that have the time to go and rest with their families and work hard for more than 30 years waiting for that moment. They are not guilty for what is happening. I have been a government employee since June 1989 until now. I have to be a slave until die by a decision of people who are going to live their lives full of opulence. That is not democracy, it is communism. Please don't do that injustice.

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## SwainDPRCorresp NYSD

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**From:** Ruth Marin Resto [REDACTED]  
**Sent:** Monday, December 06, 2021 6:22 PM  
**To:** NYSD Swain Corresp  
**Subject:** RETIRO DIGNO

CAUTION - EXTERNAL:

Buenas noches; Honorable jueza Swain; nosotros los empleados públicos de PR solicitamos la aprobación de la Ley 80; llevamos más de treinta (34) años trabajando y haciendo las debidas aportaciones al retiro como se supone; cuando llegamos a los 30 años y contábamos con acogernos a lo que nos corresponde porque ya lo pagamos; la Junta de Control Fiscal no nos permite nuestro anhelo retiro; eso es injusto que ya a nuestra edad no podamos disfrutar por lo que tanto trabajamos; recurrimos a su sensibilidad y ordene nuestro retiro! Gracias CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** Ana Dorta [REDACTED]  
**Sent:** Tuesday, December 07, 2021 3:45 PM  
**To:** NYSD Swain Corresp  
**Subject:** Aprobar Ley 80 Empleada Ley1 Retiro Incentivado  
  
**Importance:** High

**CAUTION - EXTERNAL:**

Saludos Honorable Laura Taylor Swain:

Soy una empleada de Departamento De Educación llevo 28 años laborando en el gobierno me quiero retirar bajo Ley 80 -2020.No es justo que por tantos años laborando y ahora los nuevos cambios que quiere hacer **Natalie Jaresko que trabaja en la Junta afecte** mi vida emocional y económicaamente. Soy una persona que tengo 4 operaciones en mi pierna derecha y adición tengo condiciones médicas. Necesito retirarme porque tengo a mi madre que tiene alzhéimer la tengo que cuidar pretendo \$600.00 dólares mensuales yo viva que es imposible porque costo de vida va subiendo. Espero que vea la causa todos servidores públicos aquí en Puerto Rico queremos retirarnos 50 % de nuestro sueldo y \$100.00 dólares para el plan médico. Esto es una Promesa de Campaña PNP Gobernadora Wanda Vázquez Garced y Gobernador Pedro Pierlussi. Honorable Jueza Laura Taylor Swain háganos justicia por favor que yo me pueda retirar para próximo año antes 31 de diciembre de 2022. Dios la ilumine para que tome la mejor decisión le bendiga.

Atentamente,

Ana L. Dorta

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## SwainDPRCorresp NYSD

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**From:** mayra castro [REDACTED]  
**Sent:** Tuesday, December 07, 2021 1:39 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

**CAUTION - EXTERNAL:**

Buenas tardes

Pedimos su misericordia  
Los empleados públicos Puerto Rico merecemos por lo menos un 50%  
En sus manos está la solución.

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

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**From:** Ana M. Quiñones Medina [REDACTED]  
**Sent:** Wednesday, December 08, 2021 9:05 AM  
**To:** NYSD Swain Corresp  
**Cc:** Ana Quiñones  
**Subject:** PETICION LEY 447  
**Attachments:** JUEZA TAYLOS SWAIN.docx

**CAUTION - EXTERNAL:**

*Ana M. Quiñones Medina*  
[REDACTED]

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

8 de diciembre de 2021

Hon. Laura Taylor Swain  
Jueza de Distrito

Honorable Jueza Taylor Swain:

En noviembre de 1989 firmé contrato con el Gobierno de Puerto Rico para convertirme en parte del equipo de trabajo de este. Dicho contrato establecía claramente que mi retiro sería después de pasados 30 años de servicios, a la edad de 55 años, con el 75% como beneficio de retiro, por ser de la ley 447. En el 2013, unilateralmente y sin tener la posibilidad de negarme a ello, mi contrato es enmendado y se ha convertido en algo incierto para mí ya que al día de hoy NO TENGO LA MAS MÍNIMA IDEA de cómo terminará siendo mi retiro.

Estoy consciente que la situación por la que atraviesa el país es una difícil, pero pretender que sean únicamente los empleados públicos los que lo resolvamos es una medida injusta, TODOS estamos en el mismo bote. La mala administración por parte de los gobiernos ha sido la que nos llevado a este momento histórico, esto incluye a las personas irresponsables que manejaron nuestro Sistema de Retiro y quienes lo llevaron a la quiebra, utilizando MI dinero para malas inversiones y quienes NUNCA me preguntaron mi opinión al respecto.

Por otro lado, cuando se permitió el pre retiro voluntario al amparo de la ley 211-2015, la misma debía ser trabajada en dos fases, sin embargo, cuando llegó el momento de la segunda fase y a pesar de estar en ley el Departamento de Hacienda incumplió con el debido proceso y nuevamente fui discriminada, NO ME PUDE RETIRAR.

Ahora Usted tiene la oportunidad de hacerme justicia.

Tengo 58 años, varias condiciones de salud que están afectando mi calidad de vida y que requieren de un tratamiento que me sería costoso si no cuento con un Plan Médico adecuado. Además, cabe señalar, que la pandemia añadió otra situación que he tenido que afrontar. En agosto 2020 mi hermana mayor falleció a consecuencias del COVID-19 y con ella vivía nuestra hermana que padece de

Discapacidad Intelectual Severa y Epilepsia, debido a esto tuve que responsabilizarme por ella y se encuentra viviendo conmigo.

Desde marzo 2020 me encuentro trabajando de forma remota, esto me permite cumplir con mi trabajo y atender a mi hermana, ya que aunque no está encamada, requiere que la asista en los asuntos más básicos como bañarla, darle de comer con mis manos y asistirla aun cuando va al baño entre otras cosas. Sin embargo, el próximo 29 de diciembre tengo que presentarme al Departamento de Hacienda a trabajar de forma presencial, a pesar de haber solicitado trabajo a distancia conforme la política pública del Gobierno de Puerto Rico, ya que la otra alternativa que me ofrecieron fue solicitar una licencia sin sueldo, esto me llevaría a la indigencia, con grandes posibilidades de perder mi casa entre otras cosas ya que soy el único sustento de la casa. Debido a esto he tenido que contratar un ama de llaves que me cuesta \$1,000 mensuales para que esté con mi hermana por lo menos 4 horas diarias, ya que no hay mamá, ni papá o hermanos y enviudé hace cuatro años y ni el Departamento de Salud ni el Departamento de la Familia me pueden dar el servicio de ama de llaves por “mis ingresos”.

Es frustrante saber que le has dedicado más de 30 años, 35 en total, ininterrumpidos al servicio del gobierno y la única oportunidad real de poder resolver un poco tu situación ha sido debatida y existe la posibilidad que no pueda materializarse.

Es por eso Honorable Jueza que le solicito que considere darle paso a la ley 80 para los empleados que le hemos servido a este país por más de 30 años y que solo pedimos justicia y retirarnos de una manera digna.

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## SwainDPRCorresp NYSD

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**From:** Ineabelle Irizarry [REDACTED]  
**Sent:** Thursday, December 09, 2021 11:25 AM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

CAUTION - EXTERNAL:

Sra. Laura Taylor Juez encargada de la decisión de la Ley 80 en sus manos es El Futuro de un Pueblo Trabajador que ha brindado más de 30 años de servicio para que su país sea tratado de manera indignante y de pobreza. Es lamentable también que con más de 30 años no puedan irse porque con pagados con fondos combinados.

Señora Juez, que está en el análisis de la Ley 80, mire y lea todos los correos electrónicos y como ha expresado que estará buscando el mejor bienestar del Pueblo en sus manos que los Servidores Públicos no sean maltratados.

Te pedimos a ti y a Dios que la iluminen por el bien de este país y de los servidores públicos.

Feliz Navidad Dios te bendiga Enviado desde mi iPhone CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** Ineabelle Irizarry [REDACTED]  
**Sent:** Thursday, December 09, 2021 11:25 AM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 447

### CAUTION - EXTERNAL:

Buenos dias Amigos Ley 447 y Ley 1 me dirijo a usted Sra Laura Taylor Juez a cargo de la decisión Ley 80 en sus manos esta el Futuro de un Pueblo Trabajador que ha dado más de 30 años de servicio por su patria para que sea tratado en forma indignante y de pobreza.

Señora Jueza usted que se encuentra en análisis de la Ley 80 mire y lea todos los correos electrónicos y como ha expresado usted que estará buscando el mejor bienestar del Pueblo en sus manos esta que no sea maltratado los Servidores Públicos.

Le pedimos a usted y a Dios que la ilumine por el bien de este pais y de los servidores público.

Enviado desde mi iPhone

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**SwainDPRCorresp NYSD**

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**From:** Luis Colon [REDACTED]  
**Sent:** Thursday, December 09, 2021 5:45 PM  
**To:** SwainDPRCorresp NYSD  
**Subject:** PLEASE DECLARE THE UNIVERSITY OF PUERTO RICO AN ESSENTIAL PUBLIC SERVICE AND DO NOT APPROVE THE DEBT ADJUSTMENT PLAN FOR PUERTO RICO AS IT IS RIGHT NOW !!!

**CAUTION - EXTERNAL:**

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

**From:** Amy Orta-Rivera [REDACTED]  
**Sent:** Friday, December 10, 2021 3:32 PM  
**To:** SwainDPRCorresp NYSD  
**Cc:** [REDACTED]  
**Subject:** Concerns about the Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico  
**Attachments:** PR Organizations\_DAP.pdf

### CAUTION - EXTERNAL:

Greetings Hon. Laura Taylor Swain,

On behalf of 27 civil and environmental organizations I submit the attached letter for your consideration, regarding our deep concerns about the adverse health, environmental and climate-related consequences for Puerto Rico of the Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico.

Best regards,

--  
**Amy Orta-Rivera, M.A.**  
*Environmental Policy Coordinator*  
[REDACTED]



[REDACTED] - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.



December 10, 2021

**Via Email**

Hon. Laura Taylor Swain  
US Bankruptcy Judge  
SwainDPRCorresp@nysd.uscourts.gov

Dear Judge Taylor Swain:

We are environmental and community non-profit organizations and individuals actively involved in matters of environmental health protection, and deeply concerned with the effects of the public debt on the general welfare of Puerto Rico.

The Financial Oversight and Management Board for Puerto Rico (hereinafter, “Fiscal Control Board”) submitted for your consideration the Eight Amended Title III Joint Plans of Adjustment (“DAP”). On May 27, the Control Board certified the Fiscal Plan for Puerto Rico.

The purpose of this letter is to call urgently your attention to the adverse health, environmental and climate-change-related consequences for Puerto Rico of the Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico (hereinafter, DAP). The DAP is partly –and unjustifiably– premised on the continued dismantling of the environmental and health permit review processes in Puerto Rico. We request that you closely evaluate this aspect of the DAP and ultimately deny it, or require its substantial modification, because it will cause serious harm to environmental health and natural resources of Puerto Rico for the coming decades, and severely undercut our resiliency capacity in the face of the challenges posed by climate change.

The DAP demands that Puerto Rico implement certain “structural” reforms in matters of Labor Law, Tax Law and “ease of doing business” (hereinafter, “EODB”) regulations, to



counter projected deficits. *See* Expert Report of Andrew Wolfe, Debtors' Ex. III [ECF NO. 18803-21], at 10-11 (hereinafter, "Wolfe Report"); Declaration of Gaurau Malhotra, filed on Nov. 3, 2021, Ex. F, Informative Motion of the Fiscal Control Board (No. BK-3283\_LTS) at 16-17. These structural reforms are expected to produce surpluses, to counter the deficits projected to start in 2035, *Wolfe Report*, at 4, and achieve feasibility.

The EODB structural reforms are premised on the alleged shortcomings of Puerto Rico's environmental and health permit system, as supposedly documented by the competitive ranking of nations Doing Business publication of the World Bank.

At the outset, you should note that this is not the first time that the EODB rankings have been relied on to impose substantial reforms on Puerto Rico's environmental and health permit system. Said system has already suffered several 'structural reforms', starting with the enactment of the Puerto Rico Permit Process Reform Act, Act No. 161-2019, 23 L.P.R.A. §§ 9011-9028i, and continuing with its substantial revisions in 2013 and 2017. *See* Act No. 151-2013; Act No. 19-2017. Just as the Fiscal Control Board does here, the Statements of Motives for those three acts use Puerto Rico's place in the World Bank's EODB rankings as a primary justification for the need for reforms. In each case, however, the reforms have failed in promoting economic investment and development in Puerto Rico. They have only succeeded in substantially closing the doors for public participation in the environmental permit processes, as well as in dismantling the few remaining controls for environmental protection in Puerto Rico.

Once again, the Wolfe Report and the Fiscal Control Board's Certified Fiscal Plan for the Commonwealth of Puerto Rico state that the Island's competitive standing must improve and envision achieving this objective by continuing to curtail our environmental evaluation and review processes. The Board, however, has neglected to inform you that, on September 16, 2021, the World Bank discontinued publication of the **Doing Business** reports and its rankings of EODB due to ethical and research irregularities found in its 2018 and 2020



versions.<sup>1</sup> Thus, one of the measures identified by the Fiscal Control Board to achieve feasibility in light of the self-reported threat of future deficits, the EODB structural reforms, rests on baseless and unsubstantiated assumptions about Puerto Rico's environmental and health permit system.

The World Bank's Doing Business reports have also been criticized due to its failure to take into account the adverse economic effects of deregulation of climate change and environmental protection concerns.<sup>2</sup> In Puerto Rico, the additional layer of EODB structural reforms incorporated into the DAP further threatens Puerto Rico's ability to "conserve, develop and use its natural resources in the most effective manner possible for the general welfare of the community", as required by Article VI, Section 19 of the Constitution of the Commonwealth of Puerto Rico. In weakening the already precarious and minimal environmental review process in Puerto Rico, the measures will not only have adverse health and environmental consequences in the Island but will also curtail the very same economic growth that the Fiscal Control Board seeks to promote. In short, further debilitating environmental and climate change regulation is not only nonsensical, but also unsustainable and contrary to current local and federal policies.

Based on the information provided above we request that you reject as unfeasible the Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico. The EODB structural reforms are based on questionable information, and Puerto Rico's pre-petition reforms demonstrate that they hinder, rather than promote, sustainable economic development. The structural reforms will fail to generate sufficient revenue to guarantee the

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<sup>1</sup> World Bank Group to Discontinue Doing Business Report, The World Bank (Sep. 16, 2021), <https://www.worldbank.org/en/news/statement/2021/09/16/world-bank-group-to-discontinue-doing-business-report>. In fact, the World Bank had paused publication of said reports since August 27, 2020. Doing Business – Data Irregularities Statement, THE WORLD BANK (Aug. 27, 2020), <https://www.worldbank.org/en/news/statement/2020/08/27/doing-business---data-irregularities-statement>.

<sup>2</sup> See Vinot Thomas, *Doing Business rankings that endanger good regulations*, BROOKINGS (Sept. 21, 2020), <https://www.brookings.edu/blog/future-development/2020/09/21/doing-business-rankings-that-endanger-good-regulations/>.



payment of the generous terms for creditors included in the DAP. Puerto Rico's environment, as well as the health of its vulnerable communities, deserve better.

Yours truly,

Frente Ciudadano Por la Auditoría de la Deuda

El Puente de Williamsburg, Inc.

Hermandad Pastoral de Puerto Nuevo

Mayagüezanos por la Salud y el Ambiente

Alianza Comunitaria Ambientalista del Sureste

Sierra Club Puerto Rico

Comité Yabucoeño Pro-Calidad de Vida

CAMBIO PR

Comité de Diálogo Ambiental, Inc.

Ciudadanos Aguadeños Pro Conservacion del Ambiente, Inc.

La Tea en Pie de Lucha, Inc.

Grupo Comunitario Guarda Rio

Amigos del Rio Piedras

Proyecto Coquí

Red de Ecología del MVC

Guama Comunidad Agroecoturística de San German

Hacienda Las Malcriá Proyecto de Turismo Regenerativo

Programa de Ciencias Ambientales de la Universidad Interamericana de Ponce

Campamento contra las Cenizas de Peñuelas

Somos Sur

Cayey para el Mundo

Vecinos en Defensa del Rio Piedras

Colectivo Cuatro Costas

Ciudadanos del Karso



ACRES, Inc.-Agricultura con Conciencia Rural, Ecológica y Sustentable

Bosque Comunitario de Rio Hondo, Mayagüez

OPAS Puerto Rico (Organización Pro-Ambiente Sustentable)

**SwainDPRCorresp NYSD**

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**From:** POCHO Nieves-Ramos [REDACTED]  
**Sent:** Friday, December 10, 2021 8:44 PM  
**To:** NYSD Swain Corresp  
**Subject:** Law 80 approval

**CAUTION - EXTERNAL:**

Honorable juez, le pedimos le de paso a las leyes 80 y 81 para acogernos a un retiro digno

Sent from Pocho's Galaxy S7

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** FlightSimulator101 [REDACTED]  
**Sent:** Saturday, December 11, 2021 1:05 PM  
**To:** NYSD Swain Corresp  
**Subject:** Gobernador.

### **CAUTION - EXTERNAL:**

El gobernador esta esperando la decisión de la juez Swain sobre las Leyes 80 y 81, así se lava las manos y culpa a la jueza y a la junta de lo que pase.

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## SwainDPRCorresp NYSD

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**From:** jose marquez [REDACTED]  
**Sent:** Saturday, December 11, 2021 9:57 AM  
**To:** NYSD Swain Corresp  
**Subject:** Retiro Digno José Marquez Ríos

### **CAUTION - EXTERNAL:**

Ayude a lograr un Retiro digno

Enviado desde mi Samsung Mobile de Claro

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Mi nombre es José Marquez Ríos

Trabajo en Centro Medico desde 1989 y este gobierno con tanta corrupción nos ha robado nuestros sueños, cuando yo comencé a trabajar firme para 30 años de servicio, y nosotros estamos pagando las malas decisiones de estos gobiernos corruptos, nos han robado nuestro retiro, dinero que nos deducen quincenalmente de nuestro cheque. Se supone que nos retiren con un 65% de nuestro salario y ahora me retiraría con un 38%, que no da para vivir con el costo de vida ahora mismo.. Espero nos puedan ayudar  con sabias decisiones, nuestro futuro depende de usted.

Gracias

José Marquez Ríos

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## SwainDPRCorresp NYSD

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**From:** Magda Molina [REDACTED]  
**Sent:** Saturday, December 11, 2021 12:40 PM  
**To:** NYSD Swain Corresp  
**Subject:** Fwd: Aprobación Ley 80

**CAUTION - EXTERNAL:**

Enviado desde mi iPhone

Inicio del mensaje reenviado:

**De:** Magda Molina [REDACTED]  
**Fecha:** 28 de noviembre de 2021, 10:28:21 p. m. AST  
**Para:** SwainNYSDCorresp@nysd.uscourts.gov  
**Asunto:** Aprobación Ley 80

Son muchos años de servicio. Necesitamos nuestro retiro. Firmamos para un 75% y ahora rogamos por un 50%. Por favor haga justicia.

Enviado desde mi iPhone

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

## SwainDPRCorresp NYSD

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**From:** maria isabel rivera [REDACTED]  
**Sent:** Saturday, December 11, 2021 3:03 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

CAUTION - EXTERNAL:

Buenas tardes

Honorable Jueza Swain le escribo para pedirle que ayude a los empleados del gobierno de Puerto Rico a que podamos jubilarnos mediante la Ley 80.

Los empleados que estamos en esa ley llevamos muchos años sirviéndole a Puerto Rico y tenemos miedo a que no se haga cumplir esta ley que por lo menos nos dan derecho a cobrar un poco más de la pensión, las leyes en este país lo han cambiado todo y ahora mismo la pensión es mucho menos de lo que firmamos al momento de empezar a trabajar. Con esta cantidad no nos da para vivir.

En adición hay algunos empleados que tienen la edad de retiro y por ser empleados de las agencias constitucionales los dejaron fueron de la ley 80. Favor de reevaluar estos casos ya que es todo bien injusto.

Muchas Gracias por toda la ayuda que nos pueda brindar a los empleados del gobierno de Puerto Rico, para que todas esta injusticia se terminen.

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## SwainDPRCorresp NYSD

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**From:** Carlos E. Cacho Rodríguez [REDACTED]  
**Sent:** Sunday, December 12, 2021 10:22 AM  
**To:** NYSD Swain Corresp  
**Subject:** The reality of those qualified to retire in our present.

### **CAUTION - EXTERNAL:**

Hon. Laura Taylor Swain  
District Judge  
United States District Court  
Southern district of New York

Through this letter, I am writing to you to communicate my case as well as the many Puerto Ricans who at the moment have already been affected by the government of Puerto Rico, where as of today they have reduced our pension rights to 38% of our salary income from the year 2013.

I started working in the government of Puerto Rico on March 1, 1988 at the age of 29. Currently I have been working for 33 years and 9 months in government and on November 29, 2021 I just turned 63 years old. According to the contract that I signed (Law 447 of May 15, 1951) with the government of Puerto Rico at that time (year 1988), today I would be formally retired with my acquired benefits of 75% of my current salary. Unfortunately, as of today, I have not been able to retire and I believe that I will never be able to. Since I will never be able to live with the income of a pension of 38% of the salary of 2013 due to inflation and the high costs of living in the present. The current retirees of the PR government have incomes between 65% - 75% of their salaries, plus benefits of contributions to the medical plan and Christmas bonus. But what about those of us who could not retire because they took away our benefits in 2013? We will have to continue working until we die, because if we retired at this time we would be left destitute.

For this reason, honorable judge, we ask you from the bottom of our hearts to have mercy on us who have already completed the years worked and the statutory age to retire. So please do us justice and at least allow us to retire with 50% of our income to try to live with dignity and not be left destitute. It is up to you to dictate justice that the Government of Puerto Rico and Financial Oversight & Management Board For Puerto Rico have never been able to reach an agreement. And so the roughly 3,000 public employees who meet all the requirements to retire, we can finally do so.

Thank you for all you can do for us.

Sincerely,

Carlos E Cacho Rodriguez  
63 years old and  
Public employee for 34 years (Law 447)  
Government of Puerto Rico

Sent from my T-Mobile 4G LTE Device

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## SwainDPRCorresp NYSD

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**From:** NYSD Swain Corresp  
**Sent:** Monday, December 13, 2021 6:41 PM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Ley 80-2013

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**From:** iris minerva [REDACTED]  
**Sent:** Monday, December 13, 2021 6:05 PM  
**To:** NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
**Subject:** Fwd: Ley 80-2013

### CAUTION - EXTERNAL:

----- Forwarded message -----

De: **iris minerva** [REDACTED]  
Date: vie., 26 de noviembre de 2021 3:16 p. m.  
Subject: Ley 80-2013  
To: <[SwainNYSDCorresp@nysd.uscourts.gov](mailto:SwainNYSDCorresp@nysd.uscourts.gov)>

Good morning

Honorable Judge Swain

I am part of the employees who demand justice for us from you. We are aware of and understand the seriousness of the PR economic issue. What we do not understand because the active employees of the central government are the only ones who do not have acquired rights. There are 4 withdrawal systems and 3 of them have acquired rights. His pension is 75%, medical plan among other benefits. It should be noted that these employees have a high floor, that means that their pension is high. These people have not had their pensions touched. The average salary for central government employees is \$ 1900.00, of which a 38% pension would correspond to approximately 38% and without a medical plan.

Law 80-2013 would improve our%, although it would never be compared with other retirement systems. We ask you to put yourself in our shoes. We see how there is money for useless things. At no time do we see that the public servant is a priority. We are the expendable employees (pawns). Those of us who enter without political support are why our salaries are so low.

We ask you to look at us, to order Law 80 and 81 to be implemented. What a limit on the government to touch our contributions to the retirement plan.

We do not want more, we want what is fair.

Thank you Honorable Judge and God bless you.

Iris M. Salas

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## SwainDPRCorresp NYSD

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**From:** NYSD Swain Corresp  
**Sent:** Monday, December 13, 2021 6:41 PM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Ley 80-2013

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**From:** iris minerva <gypsyiris@gmail.com>  
**Sent:** Monday, December 13, 2021 6:05 PM  
**To:** NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
**Subject:** Fwd: Ley 80-2013

### CAUTION - EXTERNAL:

----- Forwarded message -----

De: **iris minerva** <[gypsyiris@gmail.com](mailto:gypsyiris@gmail.com)>  
Date: vie., 26 de noviembre de 2021 3:16 p. m.  
Subject: Ley 80-2013  
To: <[SwainNYSDCorresp@nysd.uscourts.gov](mailto:SwainNYSDCorresp@nysd.uscourts.gov)>

Good morning

Honorable Judge Swain

I am part of the employees who demand justice for us from you. We are aware of and understand the seriousness of the PR economic issue. What we do not understand because the active employees of the central government are the only ones who do not have acquired rights. There are 4 withdrawal systems and 3 of them have acquired rights. His pension is 75%, medical plan among other benefits. It should be noted that these employees have a high floor, that means that their pension is high. These people have not had their pensions touched. The average salary for central government employees is \$ 1900.00, of which a 38% pension would correspond to approximately 38% and without a medical plan.

Law 80-2013 would improve our%, although it would never be compared with other retirement systems. We ask you to put yourself in our shoes. We see how there is money for useless things. At no time do we see that the public servant is a priority. We are the expendable employees (pawns). Those of us who enter without political support are why our salaries are so low.

We ask you to look at us, to order Law 80 and 81 to be implemented. What a limit on the government to touch our contributions to the retirement plan.

We do not want more, we want what is fair.

Thank you Honorable Judge and God bless you.

Iris M. Salas

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## SwainDPRCorresp NYSD

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**From:** Maria Lebron [REDACTED]  
**Sent:** Monday, December 13, 2021 12:49 AM  
**To:** NYSD Swain Corresp  
**Subject:** Dignified Retirement laws 80 &81

**CAUTION - EXTERNAL:**

Your honor:

With the greatest respect and humble im writing this lines for you.

Im a 52 years black puertorican single mom, with 26 years of diligent, honest and efficient labor in the public service Department of Corrections in the Goverment of my dear Puerto Rico.

Im asking you to consider aproved this laws ,so i and many others in a future 2 or 4 years could retire with more than a 32% pension. The living cost always will increase , and we re getting older with health conditions, with parents that we take care and help them with their food and medicines.

Meanwhile, our politicians stole our retirement and commit fraud and corruption, again and again and never repay that big damages to our society. The result? Poor education, closed schools, more crime, more emigration to EU or another countries and they are gettin richer more each time.

I pray i could receive a decent payment when i retire as anyone who works honest , with love and compromise with the welfare of his or her country in the public service deserve.

Please, i know my nation is in a difficult economic situation because of many bad actions and decisions our politicians made. But we the people are paying unfairly.

An option could be we have this laws aproved and you could put a top of age for example 55 or if the person wants to stay working for more years could stay.

And , there s an organized transition so the services will not be affected .

Or people over 63 years old or 30 years of service who their position is not essential , could retire first.

Hoping you a blessed Christmas with health and joy with your dears ones and God expands your patience and wisdom for the best resolution to all this.

It will be my pleasure know you in this life.

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## SwainDPRCorresp NYSD

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**From:** Surfrider Rincon [REDACTED]  
**Sent:** Monday, December 13, 2021 10:37 AM  
**To:** SwainDPRCorresp NYSD  
**Cc:** Pedro Saade Llorens  
**Subject:** Urgent concerns regarding the Eight Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico  
**Attachments:** PR Organizations\_DAP.pdf

**CAUTION - EXTERNAL:**

Hon. Laura Taylor Swain

US Bankruptcy Judge

[SwainDPRCorresp@nysd.uscourts.gov](mailto:SwainDPRCorresp@nysd.uscourts.gov)

Greetings Judge Swain,

We hope this email finds you well.

The Surfrider Foundation Rincón chapter was unable to provide our name to the submission recently sent to your office by El Puente (which we attach for your reference), with the listing of dozens of supporting community and environmental groups in Puerto Rico. The chapter now takes this opportunity on behalf of our members and community supporters to add our agreement with the issues and specific objections listed in that submission, and also add our support urging you to reject as unfeasible the Eight Amended Title III Joint Plan of Adjustment (DAP) of the Commonwealth of Puerto Rico. We also emphasize that the proposed structural reforms are based on questionable information and standards, particularly the continuing use of the World Bank's global Ease Of Doing Business (EODB) rating and assessment. Aside from implications ranging from the political to moral, there is the simply practical dubious utility of an economic model designed for autonomous nations being applied to an island more correctly defined as functioning as a colony. We also bring to your attention the fact that the World Bank itself regards that EODB rating as so flawed it no longer uses or generates it, and so wonder why it would continue to be applied to the DAP and determine our ability to pay debt obligations for decades.

We also emphasize that same flawed EODB rating has been used several times previously for economic 'restructuring' for the island even before the PROMESA Act, and as El Puente states, these pre-petition reforms have already demonstrated that they hinder, rather than promote, sustainable economic development for Puerto Rico, or any actual economic growth at all.

As a pertinent local example we have the first (or second) 'Strategic economic development' site as declared by the PR Tourism Co. under PROMESA, based on the EODB model, proposed as a megahotel and casino. So you would think that after 6 years the town would be experiencing some type of benefits from this project, but the only result has been that a functional wetlands (and probable archeological site of an indigenous Taino habitation) has had thousands of cubic yards of fill illegally dumped into it (none of the required permits were applied for or issued) and abandoned after the investment group dissolved. Due to the lack of even minimal overview and regulatory controls the destruction of this

wetland now channels the floodwaters of the adjacent watercourse during heavy rainfall events towards a densely populated urban area and major pressurized sewage line and substation pump facility. Without the dispersive and filtering capacity of the wetlands there is an increased volume and velocity of turbid and contaminated stormwater being discharged directly into the ocean, to the detriment of its recreational use, and public health of the users – which includes the public municipal beach to the south. Immediately to the north is the Reserva Marina Tres Palmas (RMTP) Marine Protected Area, which the chapter was instrumental in creating for the federally protected coral and marine life inhabiting the nearshore reef ecosystem there. The RMTP is a well known and recognized ecological, touristic and economic resource for a town that is already highly dependent on tourism and beach/nearshore related activities. Thus the approval of this one ill-conceived, unscrutinized, and abortive project has had only negative effects on public health and safety, private property, critical infrastructure, recreational values and income, as well as existing valuable marine ecosystem services and resources.

That, of course, was only the first such project! The chapter is currently engaging several virtually unregulated large projects that are even more threatening or damaging to local beaches, the RMTP itself and other critical federally protected marine turtle nesting sites and habitat, existing infrastructure, water quality, the ability of local businesses to conduct their trade, touristic resources, the ability of the general public to access and enjoy the beach and other coastal areas, and basic cost-effective climate change resiliency. The only tool the community has to prevent further damage, loss, and threats to our livelihood and future are the few environmental and public health regulations still remaining from a decade of previous EODB-based reductions (and the even fewer actually being enforced). Further reduction of these regulations would inevitably and immediately be disastrous for us and other communities in our efforts to preserve from unregulated development the exact same resources that are, ironically, the supposed economic basis and motivation for that same fast-tracked development..

We hope providing this little case study will assist you in determining the shortcomings, failures, and contradictions already caused by applying EODB-based economic development models both in Rincón and the island in general, and join with El Puente and many others in petitioning you to not further restrict the environmental and health permit review processes in Puerto Rico. We also request that you closely evaluate this entire aspect of the DAP and ultimately deny it, or require its substantial modification, to avoid causing further serious harm to environmental and public health, touristic and recreational activity, and sustainable economic growth based the increasingly valuable and vulnerable natural resources of Puerto Rico.

Respectfully,

Steve Tamar

Chapter vice chair,

Lab Director and Program Coordinator, BWTF Rincón water quality program

<https://rincon.surfrider.org/national-blue-water-task-force/>

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Fundación Surfrider Rincón

<http://rincon.surfrider.org>

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## SwainDPRCorresp NYSD

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**From:** Ale Rodriguez [REDACTED]  
**Sent:** Wednesday, December 15, 2021 12:33 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

### **CAUTION - EXTERNAL:**

Hon. Laura Taylor Swain, all the public employees of Law 447 need justice to be done to us with the implementation of Law 80. Please bring us. Do not lead us to destitution. Law 80 offers savings and is our last hope. We have given our best and they have taken away our right to receive a fair pension. It is in their hands to do us justice. Have compassion and mercy and condemn me to destitution. Pass Law 80. All public employees will thank you for the rest of our lives. Thank you and may God enlighten you.

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## SwainDPRCorresp NYSD

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**From:** Adelaida [REDACTED]  
**Sent:** Thursday, December 16, 2021 1:22 PM  
**To:** NYSD Swain Corresp  
**Subject:** Our desired retreat

### CAUTION - EXTERNAL:

Good afternoon, Honorable Judge Taylor Swain. I understand how important the Puerto Rico police are and that justice is done to them, since they deserve it. But, also, we are the other public employees. I am working in public service for 36 years, in other words all my life, all my youth. I have had many health problems and many complications, I am a breast cancer survivor and I thank Daddy God for keeping me on my feet. But I already need to be calm and dedicate more time to my health conditions. We, the public employees, who have been there for many years, already long for our retirement and we need your support so that justice is done to us so that we are allowed to retire with dignity, as we all deserve. Thank you in advance for your attention and for all the help you can give us in this regard. God bless and guide you to make the best decision for the benefit of us public employees, who have been in service for many years. 

Enviado desde mi iPhone

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## SwainDPRCorresp NYSD

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**From:** NYSD Swain Corresp  
**Sent:** Thursday, December 16, 2021 9:46 AM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Ley 80

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**From:** Brenda Guilbe [REDACTED]  
**Sent:** Thursday, December 16, 2021 9:01 AM  
**To:** NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
**Subject:** Fwd: Ley 80

**CAUTION - EXTERNAL:**

Obtener [Outlook para Android](#)

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**De:** Brenda Guilbe [REDACTED]  
**Enviado:** domingo, 28 de noviembre de 2021 1:25 p. m.  
**Para:** [swainnydsdcorresp@nysd.uscourts.gov](mailto:swainnydsdcorresp@nysd.uscourts.gov)  
**Asunto:** Ley 80

Hon. Jueza Swain:

Por favor apruebe la Ley 80 ya; es hora que se nos haga justicia. Los empleados públicos ya estamos cansados del abuso que han tenido ambos gobiernos con nosotros. Pagamos nuestro Retiro y lo quebraron. Ya esto es insoportable. Merecemos una pension digna para poder sobrevivir. El costo de vida esta muy elevado. Tenemos condiciones de salud y queremos RETIRARNOS YA!!!!

JUSTICIA POR FAVOR!!!!

CONFIO EN USTED.....

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## SwainDPRCorresp NYSD

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**From:** NYSD Swain Corresp  
**Sent:** Thursday, December 16, 2021 9:46 AM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Laws 80 and 81

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**From:** Carlos Reyes [REDACTED]  
**Sent:** Thursday, December 16, 2021 9:41 AM  
**To:** NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
**Subject:** Laws 80 and 81

**CAUTION - EXTERNAL:**

Good Morning!

Judge Taylor Swain please authorize and pass laws 80 and 81 so that we can retire, we have already served for more than 25 years, we deserve our retirement with 50% of our salary pension!

Thanks!!!!

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## SwainDPRCorresp NYSD

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**From:** NYSD Swain Corresp  
**Sent:** Thursday, December 16, 2021 9:46 AM  
**To:** SwainDPRCorresp NYSD  
**Subject:** FW: Law 80

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**From:** denise otero [REDACTED]  
**Sent:** Thursday, December 16, 2021 6:07 AM  
**To:** NYSD Swain Corresp <SwainNYSDcorresp@nysd.uscourts.gov>  
**Subject:** Law 80

**CAUTION - EXTERNAL:**

Thanks, Thanks I am an employee of the Court and I began to work in 1989, under Law 447, where it specified that I would work for 30 years. I have already fulfilled my contract with 32 years of service.

My father Roberto Otero Otero needs my help, he is currently in a home care.

Very grateful for all the justice [REDACTED] that will be given of the Government of Puerto Rico

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**SwainDPRCorresp NYSD**

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**From:** Delgado Rodrguez Jose J. [REDACTED]  
**Sent:** Thursday, December 16, 2021 1:27 PM  
**To:** NYSD Swain Corresp  
**Subject:** Ley 80

**CAUTION - EXTERNAL:**

Saludos Honorable jueza.. por favor no perfimta que despues de 26 años aportando aretiro me lo roben. por favor

**Greetings Honorable Judge ... please do not define that after  
26 years contributing to the retirement they will steal it from  
me. please**

Usted sabe loque es que me toque un retiro en el 2038.. con 40 años de servicio, del 30% del sueldo de l año 2013?  
Haganos justicia.

**Do you know what it is that I have a retirement in 2038 ... with  
40 years of service, 30% of the income of the year 2013?  
Do us justice.**

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## SwainDPRCorresp NYSD

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**From:** Yolanda Matos [REDACTED]  
**Sent:** Thursday, December 16, 2021 12:06 PM  
**To:** NYSD Swain Corresp  
**Subject:** Fwd: Ley 80 Puerto Rico

### **CAUTION - EXTERNAL:**

I want the Hon. Swain know that the public employs in PR have been old and have to work with low income. The law 3 from 2013 make a bad desicion about our retirement.

All we have suffer to much. And know ley 80 permit us to have a little justice. Please, we need the law 80 and 81. Thanks.

----- Forwarded message -----

De: **Yolanda Matos** <[ymatoscruz@gmail.com](mailto:ymatoscruz@gmail.com)>  
Date: mié., 24 de nov. de 2021 11:16 a. m.  
Subject: Ley 80 Puerto Rico  
To: <[SwainNYSDCorresp@nysd.uscourts.gov](mailto:SwainNYSDCorresp@nysd.uscourts.gov)>

To: Honorable Judge Swain

I request that the court you represent take into consideration the approval of PR law 80. I'm a public employee and still working since 1986. We all have low income and we depend on this retiment to be able to survive to the high cost of life.

Sincerely,  
Yolanda Matos.

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